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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 993 Session of  
2023

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INTRODUCED BY PARKER, MADDEN, FREEMAN, SAMUELSON, KINSEY,  
PROBST, BULLOCK, HILL-EVANS, SANCHEZ, GREEN AND FLEMING,  
APRIL 24, 2023

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 24, 2023

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AN ACT

1 Amending the act of October 17, 2008 (P.L.1645, No.132),  
2 entitled "An act providing for the regulation of home  
3 improvement contracts and for the registration of certain  
4 contractors; prohibiting certain acts; and providing for  
5 penalties," further providing for definitions and for the  
6 offense of home improvement fraud.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 2 of the act of October 17, 2008  
10 (P.L.1645, No.132), known as the Home Improvement Consumer  
11 Protection Act, is amended by adding definitions to read:

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall  
14 have the meanings given to them in this section unless the  
15 context clearly indicates otherwise:

16 \* \* \*

17 "Individual with a disability." An individual 18 years of  
18 age or older who, because of a mental or physical incapacity, is  
19 unable to properly manage or care for the individual's person,

1 property or both.

2 \* \* \*

3 "Qualified caregiver." An individual who is 18 years of age  
4 or older and:

5 (1) a caregiver residing with an individual with a  
6 disability;

7 (2) an agent under a durable power of attorney; or

8 (3) a court-appointed guardian of an individual with a  
9 disability.

10 \* \* \*

11 Section 2. Section 8(c)(4) of the act is amended to read:

12 Section 8. Home improvement fraud.

13 \* \* \*

14 (c) Grading.--

15 \* \* \*

16 (4) Where a person commits an offense under subsection  
17 (a) and the victim is [60] 55 years of age or older, an  
18 individual with a disability or a qualified caregiver, the  
19 grading of the offense shall be one grade higher than  
20 specified in paragraphs (1), (2) and (3). This paragraph  
21 shall not be applicable to persons whose sentence would be  
22 enhanced pursuant to paragraph (5).

23 \* \* \*

24 Section 3. This act shall take effect in 60 days.