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**Act No. 153 (H.614). An act relating to land improvement fraud and timber trespass**

**Subjects: Consumer protection; crimes; land improvement fraud; timber trespass**

This act adds land improvement services to the existing statute that prohibits home improvement fraud. The act defines land improvement services generally as work on a property separate from a building on the parcel, including construction of driveways, site work, limbing or pruning of trees, removal of trees, and forestry operations. The act also provides that home improvement or land improvement fraud occurs when a contractor fails to pay a property owner under a contract, such as when they fail to pay an owner the value of harvested trees. The act increases to \$1,000.00 the value of a contract that triggers home improvement or land improvement fraud. The act also requires the Attorney General to include on the Home Improvement and Land Improvement Fraud Registry whether a violator has posted financial surety allowing the violator to continue to provide services. The act also increases the financial bond or surety requirement for violators subject to the surety requirements from \$50,000.00 to \$250,000.00.

The act amends the statutes related to the crime of timber trespass to require a person convicted of two or more violations of timber trespass or subject to two or more civil judgements to post financial surety of not less than \$250,000.00 with the Attorney General if the person is going to continue to operate as a business. A violator who does not post financial surety can continue to work in the field but only for a person or company that is not a family member, household member, or business associate. The act also provides that if a violator of timber trespass laws fails to post the required bond or fails to inform the Attorney General of working for another business, the person would be subject to a penalty of up to two years imprisonment or a fine of not more than \$1,000.00 or both.

The act requires a person who is convicted of timber trespass to notify the Attorney General and also requires the courts to notify the Attorney General of the violation. The Attorney General must place the person's name on the Home Improvement and Land Improvement Fraud Registry, including whether the person filed a surety bond or an irrevocable letter of credit. The act also provides that the bond and financial surety requirements for timber trespass apply prospectively and do not apply to convictions or civil judgments that occurred before the effective date of the act.

The act requires the Attorney General to submit to the General Assembly a report regarding the current enforcement of timber trespass in the State and potential methods of improving enforcement.

Effective Date: July 1, 2024