

March 10, 1961.
Passed on File.

House File 606
By COMMITTEE ON JUDICIARY 1.

Passed House, Date.....4-22-61..... Passed Senate, Date.....
Vote: Ayes.....91..... Nays.....0..... Vote: Ayes..... Nays.....
Approved.....

A BILL FOR

An Act making it a misdemeanor to obtain or attempt to obtain goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. It shall be unlawful for any person knowingly
2 to obtain or attempt to obtain credit, or to purchase or
3 attempt to purchase any goods, property or service, by the
4 use of any false, fictitious, counterfeit or expired credit
5 card, telephone number, credit number or other credit device,
6 or by the use of any credit card, telephone number, credit
7 number or other credit device of another without the authority
8 of the person to whom such card, number or device was issued,
9 or by the use of any credit card, telephone number, credit
10 number or other credit device in any case where such card,
11 number or device has been revoked and notice of revocation
12 has been given to the person to whom issued.

1 Sec. 2. It shall be unlawful for any person to obtain
2 or attempt to obtain, by the use of any fraudulent scheme,
3 device, means or method, telephone or telegraph service or
4 the transmission of a message, signal or other communication
5 by telephone or telegraph, or over telephone or telegraph
6 facilities with intent to avoid payment of charges therefor.

1 Sec. 3. The word "notice" as used in section one (1)

2 of this Act shall be construed to include either notice given
3 in person or notice given in writing to the person to whom
4 the number, card or device was issued. The sending of a
5 notice in writing by registered or certified mail in the
6 United States mail, duly stamped and addressed to such
7 person at his last address known to the issuer, shall be
8 prima facie evidence that such notice was duly received.

1 Sec. 4. Any person who violates any provision of
2 section one (1) or section two (2) of this Act shall be
3 guilty of a misdemeanor and upon conviction shall be punished
4 by a fine of not more than one hundred dollars (\$100.00) or
5 imprisonment for not more than thirty (30) days, or by both
6 such fine and imprisonment.

EXPLANATION OF HOUSE FILE 606

The purpose of this bill is to make it a misdemeanor to obtain or attempt to obtain goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means.

The convenience provided by the use of credit cards has caused widespread use of the same. It is one of the factors that has provided expansion in business. Many dishonest persons are beginning to use credit cards for the purpose of cheating the businesses providing them. The present law on cheating by false pretenses does not cover all the schemes and devices under which credit cards are used as a means of defrauding. It is important that these loopholes in the law be closed.

HOUSE FILE 606

- 1 Amend House File 606, section three (3), by striking
- 2 from lines two (2) and three (3) the words "construed to
- 3 include either notice given in person or" and inserting
- 4 in lieu thereof the word "a".

Filed and adopted
April 27, 1961.

DUFFY of Dubuque.