

February 2/19

Wetzelbauer 4/8

FILED FEB 16 1979

SENATE FILE 259

By MURRAY

Refer H. F. 685

Passed Senate, Date _____ Passed House, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

1 An Act making it a fraudulent practice to knowingly transfer
 2 or assign a property interest with the intent to obtain
 3 public assistance for which a person is not eligible and
 4 providing penalties.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section seven hundred fourteen point eight
2 (714.8), Code 1979, is amended by adding the following new
3 subsection:

4 NEW SUBSECTION. Knowingly transfers or assigns, or at-
5 tempts to transfer or assign, or aids or abets a transfer
6 of or an assignment of a legal or equitable interest in
7 property as defined in section seven hundred two point four-
8 teen (702.14) of the Code with intent to obtain public
9 assistance under title eleven (XI) of the Code, including
10 but not limited to public assistance benefits in chapters
11 two hundred twenty-two (222), two hundred thirty (230), two
12 hundred thirty-nine (239), two hundred forty-nine (249), two
13 hundred forty-nine A (249A), two hundred fifty-two (252),
14 and two hundred fifty-five (255) of the Code for which a
15 person is not eligible by reason of the amount of his or her
16 assets. Any such transfer or assignment within six months
17 of an application for public assistance benefits shall be
18 presumed to be a transfer or assignment with intent to obtain
19 public assistance for which a person is not eligible by reason
20 of the amount of his or her assets.

21 EXPLANATION

22 This bill makes it a fraudulent practice to knowingly
23 participate in a transfer or assignment of any property in-
24 terest with the specific intent to obtain public assistance
25 under Title XI of the Code for which a person is not eligible.
26 The penalties for fraudulent practice are established in
27 sections 714.9 through 714.13 of the Code and range
28 respectively, depending upon the value of the property
29 involved, from a class C felony punishable by no more than
30 ten years imprisonment or five thousand dollars to a simple
31 misdemeanor punishable by no more than thirty days imprison-
32 ment or one hundred dollars.

33

34

35