

February 9, 1967
Commerce. *Pass as amended 3-1*
Judiciary 6-8, Pass 6-20

House File 146
By BUSCH

Passed House, Date 6-6-67 Passed Senate, Date 6-23-67
Vote: Ayes 82 Nays 0 Vote: Ayes 50 Nays 0
Approved _____

A BILL FOR

An Act relating to real property and contracts relating thereto.

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

- 1 Section 1. Chapter one hundred seventeen (117), Code 1966,
2 is hereby amended by adding thereto the following new section:
3 "It shall be unlawful for any person to knowingly make,
4 issue, deliver, or receive dual contracts for the purpose of
5 sale of real property. Dual contracts, either written or
6 oral, shall mean two (2) contracts concerning the same
7 parcel of real property, one (1) of which states the true and
8 actual purchase price and one (1) of which states a purchase
9 price in excess of the true and actual purchase price and is
10 used as an inducement for mortgage investors to make a loan
11 commitment on such real property in reliance upon the stated
12 inflated value.
13 "Any violation of this section shall be a misdemeanor and
14 shall be punished as provided in section one hundred seventeen
15 point forty-three (117.43) of the Code."

EXPLANATION

This Act will make it a misdemeanor for a person, firm, corporation, etc. to use two contracts, one of which shows an inflated value, in an attempt to secure a loan on real property.

1 Amend House File 146 as follows:
2 Amend section one (1) by striking all of lines thirteen (13),
3 fourteen (14) and fifteen (15), and inserting in lieu thereof
4 the following:
5 "Any person who shall violate the provisions of
6 this section shall be imprisoned in the penitentiary
7 not exceeding two years, or may be fined in the
8 discretion of the court, not exceeding five thousand
9 dollars, or imprisoned in the county jail not more
10 than one year".

Filed - *Adopted 6-6*
March 1, 1967

By COMMITTEE ON COMMERCE.