

Judiciary 4/17/77 Amend per 5480a to former 4/4 (p. 751)

Reprinted 4/78

SENATE FILE 106

Judiciary
Glenn, Chairperson
Rush
Scott
Ramsey
Shaw

FILE FILE 16 1977

SENATE FILE 106

BY REDMOND

Passed Senate, Date 4-10-78 (p. 766) Passed House, Date 5-11-78 (P. 2558)
Vote: Ayes 45 Nays 0 Vote: Ayes 76 Nays 8
Approved June 5, 1978

A BILL FOR

1 An Act relating to filing multiple counts in a single
2 information, indictment, or complaint charging
3 false use of a financial instrument.

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

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S.F. 106

SENATE FILE 106

S-5480

- 1 Amend Senate File 106 as follows:
- 2 1. Page 1, by striking lines 1 through 5 and
- 3 inserting in lieu thereof the following:
- 4 "Section 1. Chapter seven hundred fifteen (715),
- 5 Code 1977 Supplement, is amended by adding the
- 6 following section after section seven hundred fifteen
- 7 point six (715.6):".
- 8 2. Page 1, by striking lines 16 through 19.

S-5480 FILED *Adopted 4/10 (p. 805)* BY COMMITTEE ON JUDICIARY
APRIL 4, 1978 GENE W. GLENN, CHAIRPERSON

1 Section 1. Chapter one thousand two hundred forty-five
2 (1245), Acts of the Sixty-sixth General Assembly, 1976 Session,
3 chapter one (1), division fifteen (XV), is amended by inserting
4 the following new section after section one thousand five
5 hundred six (1506):

6 NEW SECTION. FILING MULTIPLE COUNTS IN ONE INFORMATION,
7 INDICTMENT, OR COMPLAINT. A single information, indictment,
8 or complaint charging false use of a financial instrument
9 may allege more than one such violation against a person.
10 The multiple charges shall be set out in separate counts,
11 and the accused person shall be acquitted or convicted upon
12 each count by a separate verdict. A convicted person shall
13 be sentenced upon each verdict of guilty. The court may
14 consider separate verdicts of guilty returned at the same
15 time as one offense for the purpose of sentencing.

16 Sec. 2. This Act is effective on the date set forth in
17 chapter one thousand two hundred forty-five (1245), Acts of
18 the Sixty-sixth General Assembly, 1976 Session, chapter four
19 (4), section five hundred twenty-nine (529).

20 EXPLANATION

21 This bill adds a new section to the Criminal Code Revision
22 Division XV dealing with false use of a financial instrument.
23 The new sections allow the filing of multiple counts in a
24 single information, indictment, or complaint charging false
25 use of a financial instrument.

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1 Section 1. Chapter seven hundred fifteen (715),
2 Code 1977 Supplement, is amended by adding the following
3 section after section seven hundred fifteen point six (715.6):

4 NEW SECTION. FILING MULTIPLE COUNTS IN ONE
5 INFORMATION, INDICTMENT, OR COMPLAINT. A single information,
6 indictment, or complaint charging false use of a financial
7 instrument may allege more than one such violation against
8 a person. The multiple charges shall be set out in separate
9 counts, and the accused person shall be acquitted or convicted
10 upon each count by a separate verdict. A convicted person
11 shall be sentenced upon each verdict of guilty. The court
12 may consider separate verdicts of guilty returned at the same
13 time as one offense for the purpose of sentencing.

* 14 EXPLANATION

15 This bill adds a new section to the Criminal Code
16 Revision Division XV dealing with false use of a financial
17 instrument. The new sections allow the filing of multiple
18 counts in a single information, indictment, or complaint
19 charging false use of a financial instrument.

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SF 106
can/slc/26a

AN ACT
RELATING TO FILING MULTIPLE COUNTS IN A SINGLE INFORMATION,
INDICTMENT, OR COMPLAINT CHARGING FALSE USE OF A
FINANCIAL INSTRUMENT.

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

Section 1. Chapter seven hundred fifteen (715), Code 1977 Supplement, is amended by adding the following section after section seven hundred fifteen point six (715.6):

NEW SECTION. FILING MULTIPLE COUNTS IN ONE INFORMATION, INDICTMENT, OR COMPLAINT. A single information, indictment, or complaint charging false use of a financial instrument may allege more than one such violation against a person. The multiple charges shall be set out in separate counts, and the accused person shall be acquitted or convicted upon each count by a separate verdict. A convicted person shall be sentenced upon each verdict of guilty. The court may consider separate verdicts of guilty returned at the same time as one offense for the purpose of sentencing.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 106, Sixty-seventh General Assembly.

KEVIN P. LIGHT
Acting Secretary of the Senate

Approved June 5, 1978

ROBERT D. RAY
Governor