

REPRINTED

SENATE FILE 2331
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 2235)

Passed Senate, Date 3/5/96 Passed House, Date 3/25/96 (p. 942)
Vote: Ayes 50 Nays 0 Vote: Ayes 98 Nays 0
Approved April 2, 1996

A BILL FOR

1 An Act prohibiting false representations in writing to employers
2 or potential employers relating to academic degrees or
3 performance and providing a penalty.

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

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S.F. 2331

CONFIDENTIAL

1 Section 1. NEW SECTION. 715A.6A FALSE REPRESENTATION OF
2 ACADEMIC DEGREE OR PERFORMANCE.

3 A person commits a serious misdemeanor if, with intent to
4 falsely represent the person's academic degree or performance,
5 the person makes a false representation in writing, to the
6 person's employer or to an employer from whom the person is
7 seeking employment, relating to the person's academic degree
8 or performance.

9 EXPLANATION

10 This bill provides that a person commits a serious
11 misdemeanor if, with intent to falsely represent the person's
12 academic degree or performance, the person makes a false
13 representation in writing, regarding the person's academic
14 achievement or performance to the person's employer or to an
15 employer from whom the person is seeking employment.

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SENATE FILE 2331

S-5187

1 Amend Senate File 2331 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 715A.6A PROHIBITIONS
5 RELATING TO FALSE ACADEMIC DEGREES, GRADES, OR HONORS.
6 1. As used in this section, "academic degree"
7 means a diploma, certificate, license, transcript, or
8 other document which signifies or purports to signify
9 completion of the academic requirements of a
10 secondary, postsecondary, professional, or
11 governmental program of study.
12 2. A person commits a serious misdemeanor if the
13 person, knowingly and willingly, does any of the
14 following:
15 a. Falsely makes or alters, procures to be falsely
16 made or altered, or assists in falsely making or
17 altering, an academic degree.
18 b. Uses, offers, or presents as genuine, a falsely
19 made or altered academic degree.
20 c. Sells, gives, purchases, or obtains, procures
21 to be sold, given, purchased, or obtained, or assists
22 in selling, giving, buying, or obtaining, a false
23 academic degree.
24 d. Makes a false written representation relating
25 to the person's academic grades, honors, or awards, or
26 makes a false written representation that the person
27 has received an academic degree from a specific
28 secondary, postsecondary, professional institution, or
29 governmental program of study, in an application for
30 any of the following:
31 (1) Employment.
32 (2) Admission to an educational program.
33 (3) An award or other recognition.
34 (4) The issuance of an academic degree to the
35 person."
36 2. Title page, by striking lines 1 through 3 and
37 inserting the following: "An Act prohibiting certain
38 uses and false representations relating to academic
39 degrees, grades, or honors, and providing a penalty."

By DONALD B. REDFERN

S-5187 FILED MARCH 5, 1996
ADOPTED

(p.618)

**SENATE FILE 2331
FISCAL NOTE**

The estimate for Senate File 2331 is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2331 provides that a person commits a serious misdemeanor if, with intent to falsely represent the person's academic degree or performance, the person makes a false representation in writing, regarding the person's academic achievement or performance to the person's employer or to an employer from whom the person is seeking employment.

ASSUMPTIONS

No information is available from which to predict the incidence of the offense or the number of convictions.

CORRECTIONAL IMPACT

Senate File 2331 defines a new offense, which may result in a potential impact to the correctional system. However, the exact impact on prison population cannot be determined. It is anticipated that any impact would not be significant.

FISCAL IMPACT

The fiscal impact of SF 2331 cannot be determined due to insufficient information. However, any impact is not anticipated to be significant.

SOURCES

Department of Human Services
Criminal and Juvenile Justice Planning Division
Department of Corrections

(LSB 4074sv, PQP)

FILED MARCH 20, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

5-3/19/96 Do Pass

SENATE FILE 2331
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 2235)

(AS AMENDED AND PASSED BY THE SENATE MARCH 5, 1996)

ALL New Language by the Senate

Passed Senate, Date _____ Passed House, ^(P.942) Date 3/25/96
Vote: Ayes _____ Nays _____ Vote: Ayes 98 Nays 0
Approved April 2, 1996

A BILL FOR

1 An Act prohibiting certain uses and false representations
2 relating to academic degrees, grades, or honors, and providing
3 a penalty.

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

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S.F. 2331

1 Section 1. NEW SECTION. 715A.6A PROHIBITIONS RELATING TO
2 FALSE ACADEMIC DEGREES, GRADES, OR HONORS.

3 1. As used in this section, "academic degree" means a
4 diploma, certificate, license, transcript, or other document
5 which signifies or purports to signify completion of the
6 academic requirements of a secondary, postsecondary,
7 professional, or governmental program of study.

8 2. A person commits a serious misdemeanor if the person,
9 knowingly and willingly, does any of the following:

10 a. Falsely makes or alters, procures to be falsely made or
11 altered, or assists in falsely making or altering, an academic
12 degree.

13 b. Uses, offers, or presents as genuine, a falsely made or
14 altered academic degree.

15 c. Sells, gives, purchases, or obtains, procures to be
16 sold, given, purchased, or obtained, or assists in selling,
17 giving, buying, or obtaining, a false academic degree.

18 d. Makes a false written representation relating to the
19 person's academic grades, honors, or awards, or makes a false
20 written representation that the person has received an
21 academic degree from a specific secondary, postsecondary,
22 professional institution, or governmental program of study, in
23 an application for any of the following:

24 (1) Employment.

25 (2) Admission to an educational program.

26 (3) An award or other recognition.

27 (4) The issuance of an academic degree to the person.

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Redfern
Kibbie
Duorsky

SSB-2235
Education
Succeeded By
SF/HF 2331

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY
CHAIRPERSON CONNOLLY)

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

A BILL FOR

1 An Act relating to a fraudulent representation or claim of
2 academic achievement or performance.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 715A.6A FRAUDULENT
2 REPRESENTATION OR CLAIM OF ACADEMIC ACHIEVEMENT OR
3 PERFORMANCE.

4 A person commits a serious misdemeanor if, with intent to
5 defraud or injure anyone, the person makes, orally or in
6 writing, a representation or claim regarding the person's
7 academic achievement or performance which is false.

8 EXPLANATION

9 This bill provides that a person commits a serious
10 misdemeanor if, with intent to defraud or injure anyone, the
11 person makes, orally or in writing, a representation or claim
12 regarding the person's academic achievement or performance
13 which is false.

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SENATE FILE 2331

AN ACT

PROHIBITING CERTAIN USES AND FALSE REPRESENTATIONS RELATING TO ACADEMIC DEGREES, GRADES, OR HONORS, AND PROVIDING A PENALTY.

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

Section 1. NEW SECTION. 715A.6A PROHIBITIONS RELATING TO FALSE ACADEMIC DEGREES, GRADES, OR HONORS.

1. As used in this section, "academic degree" means a diploma, certificate, license, transcript, or other document which signifies or purports to signify completion of the academic requirements of a secondary, postsecondary, professional, or governmental program of study.

2. A person commits a serious misdemeanor if the person, knowingly and willingly, does any of the following:

a. Falsely makes or alters, procures to be falsely made or altered, or assists in falsely making or altering, an academic degree.

b. Uses, offers, or presents as genuine, a falsely made or altered academic degree.

c. Sells, gives, purchases, or obtains, procures to be sold, given, purchased, or obtained, or assists in selling, giving, buying, or obtaining, a false academic degree.

d. Makes a false written representation relating to the person's academic grades, honors, or awards, or makes a false written representation that the person has received an academic degree from a specific secondary, postsecondary, professional institution, or governmental program of study, in an application for any of the following:

(1) Employment.

(2) Admission to an educational program.

(3) An award or other recognition.

(4) The issuance of an academic degree to the person.

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2331, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved *April 2*, 1996

TERRY E. BRANSTAD
Governor

SF 2331