

3/25/96 Judiciary

FILED MAR 4 1996

SENATE FILE 2401
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2250)

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

A BILL FOR

1 An Act defining oversale of bus tickets as a fraudulent practice
2 and making existing penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

S.F. 2401

1 Section 1. Section 714.8, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 16. Oversells tickets on a bus, so that a
4 passenger who has purchased a ticket is unable to depart as
5 planned or is forced to endure unreasonable or unsafe
6 accommodations in order to depart as planned due to the fact
7 that a number of tickets in excess of the passenger capacity
8 of the bus or buses designated for the trip were sold. This
9 subsection applies only to intrastate travel.

10 EXPLANATION

11 This bill makes it a fraudulent practice to oversell
12 tickets on a bus, so that a passenger who has purchased a
13 ticket is unable to depart as planned or the passenger is
14 forced to endure unreasonable or unsafe accommodations in
15 order to depart as planned due to the fact that more tickets
16 were sold than there were seats available.

17 A fraudulent practice is punishable as a simple misdemeanor
18 if the amount of money involved is \$100 or less and is
19 punishable as a serious misdemeanor if the amount of money
20 involved is greater than \$100, but not greater than \$500. A
21 simple misdemeanor is punishable by a fine of at least \$50,
22 but not more than \$100, or up to 30 days' imprisonment and a
23 serious misdemeanor is punishable by a fine of at least \$250,
24 but not more than \$1,500, and imprisonment of up to one year.

25
26
27
28
29
30
31
32
33
34
35

**SENATE FILE 2401
FISCAL NOTE**

The estimate for **Senate File 2401** 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 2401 makes it a fraudulent practice to oversell tickets on a bus, so that a passenger who has purchased a ticket is unable to depart as planned or the passenger is forced to endure unreasonable or unsafe accommodations in order to depart as planned due to the fact that more tickets were sold than there were seats available. The bill applies only to intrastate travel and establishes penalties of simple or serious misdemeanor depending on the amount of money involved.

ASSUMPTIONS

Intrastate bus lines will comply with the provisions of SF 2401.

CORRECTIONAL IMPACT

It is anticipated there will be no significant correctional impact as a result of Senate File 2401.

FISCAL IMPACT

Senate File 2401 is not expected to have a significant fiscal impact.

SOURCES

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

(LSB 4052sv, PQP)

FILED MARCH 12, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR