

3/2/95 Judiciary

SENATE FILE 242
BY GIANNETTO

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

A BILL FOR

1 An Act relating to providing false information on a uniform
2 citation and complaint and making an existing penalty
3 applicable.

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

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S.F. 242

1 Section 1. Section 805.3, Code 1995, is amended to read as
2 follows:

3 805.3 PROCEDURE.

4 Before the cited person is released, the person shall sign
5 the citation, under penalty of providing false information
6 under section 719.3, properly identifying the person cited.

7 The person's signature shall also serve as a written promise
8 to appear in court at the time and place specified. A copy of
9 the citation shall be given to the person.

10 Sec. 2. Section 805.6, subsection 1, paragraph a,
11 unnumbered paragraph 2, Code 1995, is amended to read as
12 follows:

13 The uniform citation and complaint shall contain spaces for
14 the parties' names; the address of the alleged offender; the
15 registration number of the offender's vehicle; the information
16 required by section 805.2; a promise to appear as provided in
17 section 805.3 and a place where the cited person may sign the
18 promise to appear; a warning which states "I hereby swear and
19 affirm that the information provided by me on this citation is
20 true under penalty of providing false information"; and a
21 statement that providing false information is a violation of
22 section 719.3; a list of the scheduled fines prescribed by
23 section 805.8, either separately or by group, and a statement
24 of the court costs payable in scheduled violation cases,
25 whether or not a court appearance is required or is demanded;
26 a brief explanation of sections 805.9 and 805.10; and a space
27 where the defendant may sign an admission of the violation
28 when permitted by section 805.9; and the uniform citation and
29 complaint shall require that the defendant appear before a
30 court at a specified time and place. The uniform citation and
31 complaint also may contain a space for the imprint of a credit
32 card, and may contain any other information which the
33 commissioner of public safety and the director of natural
34 resources may determine.

35 Sec. 3. EFFECTIVE DATE. This Act shall not take effect

1 unless an appropriation under section 25B.2, subsection 3, is
2 made fully funding the cost to political subdivisions of
3 implementing the Act or specifying the state's share of the
4 cost.

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EXPLANATION

6 This bill requires the uniform citation and complaint form
7 to contain a statement warning a person that providing false
8 information on the citation and complaint is punishable under
9 section 719.3, which is an aggravated misdemeanor. The bill
10 also provides that a person who provides false information on
11 a citation and complaint form is also subject to section
12 719.3.

13 The bill may contain a state mandate under chapter 25B.
14 Under its terms, the bill will not take effect unless an
15 appropriation under section 25B.2, subsection 3, is made which
16 fully funds the cost to political subdivisions of the bill or
17 specifies the state's share of the cost.

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