

WITHDRAWN

FEB 19 1997

COMMERCE AND REGULATION

HOUSE FILE
BY MARTIN

291

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

A BILL FOR

1 An Act defining the crime of theft to include the utterance of a
2 financial instrument for the use of property which knowingly
3 will not be paid when presented to a financial institution and
4 making a penalty applicable.

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

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HF 291

WITHDRAWN

TLSB 1658HH 77
mj/cf/24

1 Section 1. Section 714.1, subsection 6, unnumbered
2 paragraph 1, Code 1997, is amended to read as follows:

3 Makes, utters, draws, delivers, or gives any check, share
4 draft, draft, or written order on any bank, credit union,
5 person, or corporation, and obtains property, the use of
6 property, including rental property, or service in exchange
7 therefor for such instrument, if the person knows that such
8 check, share draft, draft, or written order will not be paid
9 when presented.

10 EXPLANATION

11 This bill provides that a person commits theft when the
12 person makes, utters, draws, delivers, or gives any check,
13 share draft, draft, or written order on any bank, credit
14 union, person, or corporation, and obtains the use of any
15 property, including rental property, knowing that the
16 financial instrument will not be paid when presented. The
17 penalty applicable will depend on the amount of the rent due.
18 For example, theft in excess of \$1,000 but not exceeding
19 \$10,000 is a class "D" felony, and theft in excess of \$500 but
20 not exceeding \$1,000 is an aggravated misdemeanor.

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