

FEB 9 1999

JUDICIARY

HOUSE FILE

246

BY LARSON

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act defining certain acts as fraudulent and making penalties
2 applicable.

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

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HF 246

1 Section 1. Section 714.8, Code 1999, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 17. Makes, alters, forges, utters,
4 reproduces, passes, transfers, or possesses a retail sales
5 receipt or a universal price code label with the intent to
6 cheat or defraud, or attempt to cheat or defraud, another
7 person.

8 Sec. 2. Section 714.16, subsection 2, Code 1999, is
9 amended by adding the following new paragraph:

10 NEW PARAGRAPH. n. It is an unlawful practice to advertise
11 the price of an item after deducting the amount of a mail-in
12 rebate unless the actual selling price is advertised and clear
13 and conspicuous notice is given in the advertisement that a
14 mail-in rebate is required to achieve the lower advertised
15 price.

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EXPLANATION

17 This bill provides that a person who makes, alters, forges,
18 utters, reproduces, passes, transfers, or possesses a retail
19 sales receipt or a universal price code label with the intent
20 to cheat or defraud, or attempt to cheat or defraud, another
21 person commits a fraudulent practice. The penalty to be
22 applied varies depending on the value of the property
23 involved. If no property is involved or the value of the
24 property is indeterminable, the crime committed is an
25 aggravated misdemeanor.

26 The bill provides that it is an unlawful practice to
27 advertise the price of an item after deducting the amount of a
28 mail-in rebate unless the actual selling price is advertised
29 and clear and conspicuous notice is given in the advertisement
30 that a mail-in rebate is required to achieve the lower
31 advertised price. A person committing an unlawful practice as
32 provided in this bill is subject to a civil action brought by
33 the attorney general. Such action may result in the
34 imposition of a civil penalty or other order or judgment of
35 the court to prevent such unlawful practice.