

# Senate Study Bill 1136

## Bill Text

PAG LIN

1 1 Section 1. Section [715A.2](#), subsection 2, paragraph a,  
1 2 subparagraph (4), Code 2001, is amended by striking the  
1 3 subparagraph.

1 4 Sec. 2. Section [715A.2](#), subsection 2, paragraph b, Code  
1 5 2001, is amended to read as follows:

1 6 b. Forgery is an aggravated misdemeanor if the writing is  
1 7 or purports to be any of the following:

1 8 (1)

—a

- A will, deed, contract, release, commercial  
1 9 instrument, or any other writing or other document evidencing,  
1 10 creating, transferring, altering, terminating, or otherwise  
1 11 affecting legal relations.

1 12 (2) A document prescribed by statute, rule, or regulation  
1 13 for entry into or as evidence of authorized stay or employment  
1 14 in the United States.

1 15 Sec. 3. Section [715A.2A](#), subsection 1, Code 2001, is  
1 16 amended to read as follows:

1 17 1. An employer is subject to the civil penalty in this  
1 18 section if the employer does either of the following:

1 19 a. Hires a person when the employer or an agent or  
1 20 employee of the employer knows that the document evidencing  
1 21 the person's authorized stay or employment in the United  
1 22 States is in violation of section 715A.2, subsection 2,  
1 23 paragraph

—"a"

- "b", subparagraph

—(4)

- (2), or knows that the  
1 24 person is not authorized to be employed in the United States.

1 25 b. Continues to employ a person when the employer or an  
1 26 agent or employee of the employer knows that the document  
1 27 evidencing the person's authorized stay or employment in the  
1 28 United States is in violation of section 715A.2, subsection 2,  
1 29 paragraph

—"a"

- "b", subparagraph

—(4)

- (2), or knows that the  
1 30 person is not authorized to be employed in the United States.

1 31 EXPLANATION

1 32 This bill relates to the crime of forgery and entry into  
1 33 the United States. The bill changes the penalty from a class  
1 34 "D" felony to an aggravated misdemeanor for persons who forge  
1 35 documents used for entry into the United States for residency  
2 1 or employment purposes.

2 2 A class "D" felony is punishable by confinement for no more  
2 3 than five years and a fine of at least \$750 but not more than  
2 4 \$7,500. An aggravated misdemeanor is punishable by  
2 5 confinement for no more than two years and a fine of at least  
2 6 \$500 but not more than \$5,000.

2 7 LSB 2286SC 79  
2 8 jm/cf/24