

# Senate Study Bill 1050

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON REDFERN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to fraudulent use of a credit card and providing  
2 a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2031SC 80  
5 jm/cf/24

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1 1 Section 1. Section 715A.6, Code 2003, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 3. For purposes of this section, the  
1 4 value of the property or services is the highest value of the  
1 5 property or services determined by any reasonable standard at  
1 6 the time the violation occurred. Any reasonable standard  
1 7 includes but is not limited to market value within the  
1 8 community, actual value, or replacement value. If property or  
1 9 services are secured by two or more acts from the same person  
1 10 or location, or from different persons by two or more acts  
1 11 which occur in approximately the same location or time period  
1 12 so that the acts are attributable to a single scheme, plan, or  
1 13 conspiracy, the acts may be considered as a single act and the  
1 14 value may be the total value of all property or services  
1 15 involved.

### EXPLANATION

1 16 This bill relates to the criminal offense of fraudulent use  
1 17 of credit cards.

1 18 The bill provides that the value of property or services  
1 19 fraudulently obtained or attempted to be obtained by use of a  
1 20 credit card is to be determined by any reasonable standard,  
1 21 including the market value within the community, actual value,  
1 22 or replacement value. The bill also provides that if the  
1 23 property or services are fraudulently obtained by two or more  
1 24 acts from the same person or location, or from different  
1 25 persons by two or more acts which occur in approximately the  
1 26 same location or time period so that the acts are attributable  
1 27 to a single scheme, plan, or conspiracy, the acts may be  
1 28 considered as a single act and the value may be the total  
1 29 value of all property or services involved.

1 30 A person who commits fraudulent use of a credit card  
1 31 commits a class "D" felony if the value of the property or  
1 32 services obtained or sought to be obtained is greater than  
1 33 \$1,000; otherwise, the offense is an aggravated misdemeanor.

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