

# House File 521 - Introduced

HOUSE FILE \_\_\_\_\_  
BY UPMEYER, BOAL, HEATON,  
STRUYK, and TJEPKES

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

## A BILL FOR

1 An Act addressing financial crimes by providing for the  
2 establishment of specialized units in the departments of  
3 justice and public safety and making appropriations.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1497YH 82  
6 jp/je/5

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1 1 Section 1. NEW SECTION. 13.35 FINANCIAL CRIMES UNIT.  
1 2 1. For the purposes of this section, "financial crimes"  
1 3 means crimes primarily involving financial matters and  
1 4 includes but is not limited to health care fraud, mortgage  
1 5 fraud, check fraud, money laundering, telemarketing fraud,  
1 6 identity theft, and terrorism financing.

1 7 2. The attorney general shall establish a financial crimes  
1 8 unit to address financial crimes in this state. The unit  
1 9 shall specialize in prosecuting financial crimes and assisting  
1 10 county attorneys in prosecutions of such crimes. The unit  
1 11 shall also serve as a statewide resource to educate banks,  
1 12 credit unions, and other financial institutions in detecting  
1 13 financial crimes. The unit shall work closely with the  
1 14 financial crimes unit maintained in the department of public  
1 15 safety, division of criminal investigation, pursuant to  
1 16 section 80.9.

1 17 3. Implementation of the unit is contingent upon the  
1 18 availability of funding.

1 19 Sec. 2. Section 80.9, subsection 2, Code 2007, is amended  
1 20 by adding the following new paragraph:

1 21 NEW PARAGRAPH. k. To maintain a financial crimes unit in  
1 22 the division of criminal investigation. For the purposes of  
1 23 this paragraph, "financial crimes" means the same as defined  
1 24 in section 13.35. The unit shall work closely with the  
1 25 financial crimes unit established by the attorney general  
1 26 pursuant to section 13.35. The unit shall specialize in  
1 27 investigating financial crimes and enforcing the laws to  
1 28 address financial crimes and shall assist local law  
1 29 enforcement in such investigations and enforcement activities.  
1 30 Implementation of the unit is contingent upon the availability  
1 31 of funding.

1 32 Sec. 3. FINANCIAL CRIMES UNIT == DEPARTMENT OF JUSTICE.

1 33 There is appropriated from the general fund of the state to  
1 34 the department of justice for the fiscal year beginning July  
1 35 1, 2007, and ending June 30, 2008, the following amount, or so  
2 1 much thereof as is necessary, to be used for the purposes  
2 2 designated:

2 3 For implementation of the financial crimes unit established  
2 4 pursuant to section 13.35, as enacted by this Act:

2 5 ..... \$ 250,000

2 6 Sec. 4. FINANCIAL CRIMES UNIT == DEPARTMENT OF PUBLIC

2 7 SAFETY. There is appropriated from the general fund of the  
2 8 state to the department of public safety for the fiscal year  
2 9 beginning July 1, 2007, and ending June 30, 2008, the  
2 10 following amount, or so much thereof as is necessary, to be  
2 11 used for the purposes designated:

2 12 For implementation of the financial crimes unit established  
2 13 pursuant to section 80.9, as amended by this Act:

2 14 ..... \$ 250,000

2 15 EXPLANATION

2 16 This bill relates to financial crimes by providing for the  
2 17 establishment of specialized units in the departments of  
2 18 justice and public safety.

2 19 New Code section 13.35 requires the attorney general to  
2 20 establish a financial crimes unit in the department of justice  
2 21 to prosecute and assist county attorneys in the prosecution of  
2 22 such crimes. In addition, the unit is required to work with  
2 23 financial institutions in detecting financial crimes and with  
2 24 the financial crimes unit established in the department of  
2 25 public safety pursuant to the bill. The term "financial  
2 26 crimes" is defined to mean crimes primarily involving  
2 27 financial matters and includes but is not limited to health  
2 28 care fraud, mortgage fraud, check fraud, money laundering,  
2 29 telemarketing fraud, identity theft, and terrorism financing.  
2 30 Code section 80.9, relating to the duties of the department  
2 31 of public safety, is amended to require the department to  
2 32 maintain a financial crimes unit to specialize in  
2 33 investigating financial crimes and enforcing the laws to  
2 34 address financial crimes and to assist local law enforcement  
2 35 in such investigations and enforcement activities. The  
3 1 definition of the term "financial crimes" used in new Code  
3 2 section 13.35 is incorporated by reference.  
3 3 Implementation of both units is made subject to the  
3 4 availability of funding. The bill provides FY 2007=2008  
3 5 appropriations from the general fund of the state to both  
3 6 departments for purposes of the units.  
3 7 LSB 1497YH 82  
3 8 jp:nh/je/5