

House File 511 - Introduced

HOUSE FILE 511

BY SCHULTZ

(COMPANION TO LSB 1088SS BY
HAMERLINCK)

A BILL FOR

1 An Act creating criminal offenses for falsely claiming the
2 receipt of certain military medals or decorations and
3 providing penalties.

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

1 Section 1. NEW SECTION. 718B.1 Military medals or
2 decorations protections — penalties.

3 1. *False claims about receipt of military decorations or*
4 *medals.* A person shall not falsely represent, verbally or in
5 writing, that the person was awarded any decoration or medal
6 authorized by the United States Congress for the armed forces
7 of the United States, any of the service medals or badges
8 awarded to the members of such forces, the ribbon, button,
9 or rosette of any such badge, decoration, or medal, or any
10 colorable imitation of such item. A person violating this
11 subsection commits a serious misdemeanor.

12 2. *Enhanced penalty for offenses involving Congressional*
13 *medal of honor.*

14 a. If a decoration or medal involved in an offense under
15 subsection 1 is a Congressional medal of honor, the violation
16 is an aggravated misdemeanor.

17 b. For purposes of this subsection, the term "*Congressional*
18 *medal of honor*" means any of the following:

19 (1) A medal of honor awarded under 10 U.S.C. § 3741, 6241,
20 or 8741 or 14 U.S.C. § 491.

21 (2) A duplicate medal of honor issued under 10 U.S.C. §
22 3754, 6256, or 8754 or 14 U.S.C. § 504.

23 (3) A replacement of a medal of honor provided under 10
24 U.S.C. § 3747, 6253, or 8747 or 14 U.S.C. § 501.

25 3. *Enhanced penalty for offenses involving certain other*
26 *medals.* If a decoration or medal involved in an offense
27 described in subsection 1 is a distinguished-service cross
28 awarded under 10 U.S.C. § 3742, a navy cross awarded under 10
29 U.S.C. § 6242, an air force cross awarded under 10 U.S.C. §
30 8742, a silver star awarded under 10 U.S.C. § 3746, 6244, or
31 8746, a purple heart awarded under 10 U.S.C. § 1129, or any
32 replacement or duplicate medal for such medal as authorized by
33 law, the violation is an aggravated misdemeanor.

34 EXPLANATION

35 This bill creates a criminal offense for falsely claiming

1 the receipt of certain military medals or decorations. Such
2 offense is a serious misdemeanor. Under Code chapter 903, a
3 serious misdemeanor shall carry a fine of at least \$315 but not
4 more than \$1,875. For this violation a court may also order
5 imprisonment of not more than one year.

6 The bill creates enhanced sentences if the medal
7 or decoration involved is the medal of honor, the
8 distinguished-service cross, navy cross, air force cross,
9 silver star, purple heart, or a replacement or duplicate
10 of these medals. The bill elevates these violations to an
11 aggravated misdemeanor. Under Code chapter 903, an aggravated
12 misdemeanor shall carry a fine of at least \$625 but not
13 more than \$6,250. For this violation a court may also order
14 imprisonment of not more than two years.