

Sec. 4. NEW SECTION. 715A.4 FRAUDULENT DESTRUCTION, REMOVAL, OR CONCEALMENT OF RECORDABLE INSTRUMENTS.

A person commits an aggravated misdemeanor if, with the intent to deceive or injure anyone, the person destroys, removes, or conceals a will, deed, mortgage, security instrument, or other writing for which the law provides public recording.

Sec. 5. NEW SECTION. 715A.5 TAMPERING WITH RECORDS.

A person commits an aggravated misdemeanor if, knowing that the person has no privilege to do so, the person falsifies, destroys, removes, or conceals a writing or record, with the intent to deceive or injure anyone or to conceal any wrongdoing.

Sec. 6. NEW SECTION. 715A.6 CREDIT CARDS.

1. A person commits a public offense by using a credit card for the purpose of obtaining property or services with knowledge of any of the following:

- a. The credit card is stolen or forged.
- b. The credit card has been revoked or canceled.
- c. For any other reason the use of the credit card is unauthorized.

It is an affirmative defense to prosecution under paragraph "c" if the person proves by a preponderance of the evidence that the person had the intent and ability to meet all obligations to the issuer arising out of the use of the credit card.

2. An offense under this section is a class "D" felony if the value of the property or services secured or sought to be secured by means of the credit card is greater than five hundred dollars, otherwise the offense is an aggravated misdemeanor.

Sec. 7. NEW SECTION. 715A.7 FILING MULTIPLE COUNTS IN ONE INFORMATION, INDICTMENT, OR COMPLAINT.

A single information, indictment, or complaint charging false use of a financial instrument may allege more than one such violation against a person. The multiple charges shall be set out in separate counts, and the accused person shall be acquitted or convicted upon each count by a separate verdict. A convicted person shall be sentenced upon each verdict of guilty. The court may consider separate verdicts of guilty returned at the same time as one offense for the purpose of sentencing.

Sec. 8. Chapter 715, Code 1987, is repealed.

Approved May 27, 1987

CHAPTER 151

CHILD IN NEED OF ASSISTANCE PROCEEDINGS

H.F. 588

AN ACT relating to child in need of assistance proceedings.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 232.90, Code 1987, is amended to read as follows:

232.90 DUTIES OF COUNTY ATTORNEY.

The county attorney shall represent the state in all proceedings arising from a petition filed under this division and shall present evidence in support of the petition. The county attorney shall be present at proceedings initiated by petition under this division filed by an intake officer or the county attorney, or if a party to the proceedings contests the proceedings, or if the court determines there is a conflict of interest between the child and the child's parent, guardian, or custodian or if there are contested issues before the court.

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