

FEB 22 2007

JUDICIARY

HOUSE FILE 360
BY GRUNDBERG

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the crime of forgery and entry into the United
2 States.

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

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HF 360

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

4 Sec. 2. Section 715A.2, subsection 2, paragraph b, Code
5 2001, is amended to read as follows:

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

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

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

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

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

19 a. Hires a person when the employer or an agent or
20 employee of the employer knows that the document evidencing
21 the person's authorized stay or employment in the United
22 States is in violation of section 715A.2, subsection 2,
23 paragraph "a" "b", subparagraph ~~(4)~~ (2), or knows that the
24 person is not authorized to be employed in the United States.

25 b. Continues to employ a person when the employer or an
26 agent or employee of the employer knows that the document
27 evidencing the person's authorized stay or employment in the
28 United States is in violation of section 715A.2, subsection 2,
29 paragraph "a" "b", subparagraph ~~(4)~~ (2), or knows that the
30 person is not authorized to be employed in the United States.

31 EXPLANATION

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

1 or employment purposes.

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

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