

SENATE FILE

87 ISO-1340

SENATE FILE 222

SF0200FT02

AN ACT to amend W.S. 27-14-105 by creating a new subsection (e), 27-14-203 (b) and by creating new paragraphs (i), (ii) and (iii) and 27-14-510(a) and (b) and by creating a new subsection (c) relating to worker's compensation; providing penalties for attorneys in certain situations; providing penalties for employees in certain situations; modifying the penalty for making or filing false statements or claims; and providing for an effective date.

Introduced by:

[Signature]

DATE	ACTION	DATE	ACTION
JAN 22 1987	INTRODUCED	FEB 18 1987	READ SECOND TIME
	READ FIRST TIME		Recommended as follows SF200 H21/ACE
	REFERRED TO COM. NO. 10		Adopted
	DELIVERED TO LSO FOR PRINTING	FEB 19 1987	READ THIRD TIME
	RETURNED FROM LSO FOR PRINTING		FAILED
	DELIVERED TO COM. NO. 10		AYES 17 NOES 4 EXCUSED 1 ABSENT 0
FEB 3 1987	STANDING COMM. REPORT		Sent to Senate
	RECOMMENDED DO PASS AS AMENDED		
FEB 4 1987	CONSIDERED ON COM. OF WHOLE		
	STANDING COM. AMDT. ADOPTED SF200 S51/AC		
	DO PASS		
FEB 5 1987	READ SECOND TIME		
	DO PASS		
FEB 6 1987	READ THIRD TIME Consent List		
	AYES 25 NOES 5 PASSED EXCUSED 0 ABSENT 0		
	SENT TO HOUSE		
	ENGROSSED		
2-7-87	Sent to House		
FEB 7 1987	READ FIRST TIME		
	REFERRED TO COM. NO. 10		
	DELIVERED TO COM. NO. 10		
FEB 16 1987	RETURNED		
	Recommended Amend and Do Pass 6 ayes 3 ayes		
FEB 17 1987	CONSIDERED IN COM. OF WHOLE		
	Standing Com. Amendment Adopted SF200 H51/AR		

Continued on back
Standing Vote Failed Motion for Ayes + Noes Passed Ayes 36 N-27 E2-a-1

Consent

SF 200 3rd

Date 2/6/89

SENATE ROLL CALL

FORTY-NINTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY				✓
BURNETT				
CUNDALL				
DIXON				
DUSL				
EDDINS				
FANOS				
FRISBY				
GRIEVE				
HEALY				
HERBST				
HICKEY				✓
WHITNEY WHALEY			✓	
KINNEY				✓
LARSON			✓	
MADER			✓	
NORRIS			✓	
PERRY			✓	
PREVEDEL				✓
REESE				
SCHMIDT				
SCOTT				
STROOCK				
SULLIVAN				
TRUE				
TURNER				
TWIFORD			✓	
VINICH				✓
WIEDERSPAHN			✓	
ZIMMER			✓	
MR. PRESIDENT			✓	

PRESENT

AYES

25

NOES

5

EXCUSED

0

ABSENT

0

TOTAL

30

LG 500 Shild Reading Date 2/19/87

HOUSE ROLL CALL

FORTY-NINTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD		✓			ODDE		✓		
BEBOUT		✓			O'TOOLE		✓		
BEHRENS		✓			PARKER		✓		
BIRLEFFI		✓			PERKINS, D.		✓		
BLACKWELL		✓			PERKINS, J.		✓		
BUDD		✓			PLANT		✓		
BURTON		✓			RANKINE		✓		
BYRD		✓			RATLIFF		✓		
CAMERON		✓			ROBERTSON		✓		
CHAMBERLAIN	✓				ROHRBACH		✓		
CROSS	✓				RYCKMAN		✓		
CROWLEY	✓				SCHWOPE		✓		
CUBIN		✓			SHREVE		✓		
DICKEY		✓			SIMONS	✓			
ENZI	✓				STAUFFER	✓			
FREUDENTHAL		✓			TATE		✓		
GERINGER		✓			TEMPEST	✓			
GRANT	✓				THOMAS		✓		
GUICE	✓				TIBBS	✓			
HAGEMAN		✓			TIPPETS		✓		
HANSEN		✓			TIPTON	✓			
HARRISON		✓			TYSDAL	✓			
HINES		✓			WALLIS		✓		
HONAKER		✓			WEAVER	✓			
HOWARD		✓			WILLFORD		✓		
HUMPHREY Ex			✓		WOLFLEY		✓		
JENSEN		✓			ZIMMERMAN	✓			
LUMMIS	✓				ZUMBRUNNEN	✓			
MACMILLAN		✓			MR. SPEAKER		✓		
MALDONADO		✓			PRESENT				
MARTON		✓							AYES 17
MILVAIN		✓							NOES 46
MILLER		✓							EXCUSED 1
MURPHY		✓							ABSENT
									TOTAL 64
									LESS 18
									46

17900 For Abs. Pass Date 8/17/87

HOUSE ROLL CALL

FORTY-NINTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD		✓			ODDE		✓		
BEBOUT		✓			O'TOOLE		✓		
BEHRENS	✓				PARKER	✓			
BIRLEFFI		✓			PERKINS, D.	✓			
BLACKWELL		✓			PERKINS, J.		✓		
BUDD	✓				PLANT		✓		
BURTON	✓				RANKINE		✓		
BYRD		✓			RATLIFF		✓		
CAMERON		✓			ROBERTSON	✓			
CHAMBERLAIN	✓			⊙	ROHRBACH	✓			
CROSS	✓				RYCKMAN		✓		
CROWLEY	✓				SCHWOPE		✓		
CUBIN	✓				SHREVE	✓			
DICKEY		✓			SIMONS	✓			
ENZI	✓				STAUFFER				✓
FREUDENTHAL		✓		⊙	TATE		✓		
GERINGER	✓				TEMPEST	✓			
GRANT	✓				THOMAS				
GUICE	✓				TIBBS	✓			
HAGEMAN	✓				TIPPETS	✓			
HANSEN		✓			TIPTON	✓			
HARRISON		✓			TYSDAL	✓			
HINES	✓				WALLIS	✓			
HONAKER		✓			WEAVER	✓			
HOWARD	✓				WILLFORD		✓		
HUMPHREY		✓			WOLFLEY	✓			
JENSEN		✓			ZIMMERMAN	✓			
LUMMIS	✓				ZUMBRUNNEN	✓			
MACMILLAN	✓				MR. SPEAKER <i>Chair</i>	✓			
MALDONADO		✓			PRESENT		AYES	36	
MARTON	✓						NOES	27	
MCILVAIN	✓						EXCUSED		
MEENAN		✓					ABSENT	1	
MICHEL	✓						TOTAL	64	
MILLER		✓					LESS	37	
MURPHY		✓						27	

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

SF0200481/ TEC

Cheyenne, February 13, 1987

Mr. Speaker:

Your Committee No. 10 on Labor, Health and Social Services
to whom was referred Senate File No. 0200

respectfully reports same back to the House with the recommendation that it

DO PASS with the following amendments:

- Page 1-line 1 Delete "a".
- Page 1-line 2 Delete "tion" insert "tions"; after "(e)" insert "and (f)".
- Page 1-line 3 After "(iii)" insert "and (j)".
- Page 1-line 10 Delete "a".
- Page 2-line 1 Delete "tion" insert "tions"; after "(e)" insert "and (f)".
- Page 2-line 2 After "(iii)" insert "and (j)".
- Page 2-line 9 After "ENSURE" insert "THAT".
- Page 2-line 22 Delete "DERIVED" insert "DEPRIVED".
- Page 3 after line 1 Insert:

"(f) UPON CONVICTION UNDER SUBSECTION (e) OF THIS SECTION, THE COURT SHALL REQUIRE THE DEFENDANT TO MAKE RESTITUTION TO THE DIVISION IN THE AMOUNT OF THE FUNDS DEPRIVED BECAUSE OF THE Defendant'S FRAUD."

Page 4 after line 10 Insert:

"(j) UPON CONVICTION UNDER SUBSECTION (b) OF THIS SECTION, THE COURT SHALL REQUIRE THE DEFENDANT TO MAKE RESTITUTION TO THE DIVISION IN THE AMOUNT OF THE MONETARY BENEFIT GAINED BY THE DEFENDANT'S FRAUD."

AYES

Rep. Hines
Miller
Tibbs
Tysdal
Weaver
Murphy

NOES

Rep. Cameron
Maldonado
J. Perkins

EXCUSED

0

Nyla A. Murphy
NYLA A. MURPHY,

Chairman
OW

House of Intro
To Com. No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

Second House
To Com No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

INTRODUCED

1987

STATE OF WYOMING

87LSO-0340.01

SENATE FILE NO. 0200

Worker's compensation.

Sponsored by: Senator(s) PERRY



A BILL

for

1 AN ACT to amend W.S. 27-14-510(a) and (b) and by creating
2 a new subsection (c) relating to worker's compensation;
3 modifying the penalty for making or filing false state-
4 ments or claims; and providing for an effective date.

5 Be It Enacted by the Legislature of the State of Wyoming:

6 Section 1. W.S. 27-14-510(a) and (b) and by creating
7 a new subsection (c) is amended to read:

8 27-14-510. Misrepresentation, etc., by employee and
9 health care provider; penalty.

- 1 -

SF 0200

NO SIGNIFICANT FISCAL IMPACT

1 (a) Any employee who knowingly makes or allows any
2 misrepresentation or false statement to be made for the
3 purpose of receiving compensation to which he is not law-
4 fully entitled under this act is guilty of: ~~a--misdemeanor~~
5 ~~punishable--by-a-fine-of-not-more-than-seven-hundred-fifty~~
6 ~~dollars--(\$750.00)--imprisonment-for-not-more-than-six--(6)~~
7 ~~months--or-both--~~

8 (i) A FELONY PUNISHABLE BY IMPRISONMENT FOR
9 NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN
10 THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE VALUE OF
11 THE COMPENSATION IS FIVE HUNDRED DOLLARS (\$500.00) OR
12 MORE; OR

13 (ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT
14 FOR NOT MORE THAN SIX (6) MONTHS, A FINE OF NOT MORE THAN
15 SEVEN HUNDRED FIFTY DOLLARS (\$750.00), OR BOTH, IF THE
16 VALUE OF THE COMPENSATION IS LESS THAN FIVE HUNDRED DOL-
17 LARS (\$500.00).

18 (b) Any health care provider who knowingly files a
19 material false statement or claim is guilty of: ~~a--milde-~~
20 ~~meaner-punishable-by-a-fine-of-not-more-than-seven-hundred~~
21 ~~fifty--dollars--(\$750.00)--imprisonment-for-not-more-than~~
22 ~~six--(6)--months--or-both--~~

1 (i) A FELONY PUNISHABLE BY IMPRISONMENT FOR
2 NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN
3 THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE VALUE OF
4 THE COMPENSATION IS FIVE HUNDRED DOLLARS (\$500.00) OR
5 MORE; OR

6 (ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT
7 FOR NOT MORE THAN SIX (6) MONTHS, A FINE OF NOT MORE THAN
8 SEVEN HUNDRED FIFTY DOLLARS (\$750.00), OR BOTH, IF THE
9 VALUE OF THE COMPENSATION IS LESS THAN FIVE HUNDRED DOL-
10 LARS (\$500.00).

11 (c) UPON CONVICTION THE COURT SHALL REQUIRE THE
12 DEFENDANT TO MAKE RESTITUTION TO THE DIVISION IN THE
13 AMOUNT OF COMPENSATION IMPROPERLY PAID DUE TO THE
14 DEFENDANT'S FRAUD.

15 Section 2. This act is effective July 1, 1987.

16 (END)

House of Intro				Second House					
_____	To Com. No.	_____		_____	To Com No.	_____			
_____	Stand Report	Do	Amd	Not	_____	Stand Report	Do	Amd	Not
_____	Com Whole	Do	Amd	Not	_____	Com Whole	Do	Amd	Not
_____	2nd Reading	Amd			_____	2nd Reading	Amd		
_____	3rd Reading	Amd	Pass	Fail	_____	3rd Reading	Amd	Pass	Fail

1987

STATE OF WYOMING

87LSO-0340/eng

SENATE FILE NO. 0200

ENGROSSED

Worker's compensation.

Sponsored by: Senator(s) PERRY

A BILL

for

1 AN ACT to amend W.S. 27-14-105 by creating a new subsec-
2 tion (e), 27-14-203 (b) and by creating new paragraphs
3 (i), (ii) and (iii) and 27-14-510(a) and (b) and by creat-
4 ing a new subsection (c) relating to worker's compensa-
5 tion; providing penalties for attorneys in certain situa-
6 tions; providing penalties for employees in certain situa-
7 tions; modifying the penalty for making or filing false
8 statements or claims; and providing for an effective date.

9 Be It Enacted by the Legislature of the State of Wyoming:

10 Section 1. W.S. 27-14-105 by creating a new subsec-

tion (e), 27-14-203(b) and by creating new paragraphs (i), (ii) and (iii) and 27-14-510(a) and (b) and by creating a new subsection (c) are amended to read:

27-14-105. Person other than employer legally liable for damages; reimbursement to state; notification of recovery; right of subrogation in state; penalty for failure to provide notice.

(e) ANY ATTORNEY WHO FAILS TO NOTIFY THE DIRECTOR AND ATTORNEY GENERAL OF ANY SETTLEMENT OR FAILS TO ENSURE THE STATE RECEIVES ITS SHARE OF THE PROCEEDS OF ANY SETTLEMENT OR JUDGMENT UNDER SUBSECTION (a) OF THIS SECTION WITH THE INTENT TO DEPRIVE ANY PERSON OF FUNDS TO WHICH THEY ARE ENTITLED IS GUILTY OF:

(i) A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE VALUE OF THE FUNDS TO BE DEPRIVED IS FIVE HUNDRED DOLLARS (\$500.00) OR MORE; OR

(ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN SIX (6) MONTHS, A FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00), OR BOTH, IF THE VALUE OF THE FUNDS TO BE DERIVED IS LESS THAN FIVE HUNDRED

1 DOLLARS (\$500.00).

2 27-14-203. Penalty for failure of employer to file
3 payroll, to make monthly payment; interest to be charged
4 delinquent payments; enforcement and remedies; lien;
5 enjoining operations; remedies not exclusive.

6 (b) Any employer, or person acting on behalf of an
7 employer, who fails to furnish a true copy of his payroll
8 of employees of the employer or make payments required by
9 this act to the director, is guilty of a misdemeanor pun-
10 ishable by a fine of not more than seven hundred fifty
11 dollars (\$750.00). Any employer, or person acting on
12 behalf of an employer, who knowingly files a material
13 false statement in regard to any matter under this act is
14 guilty of: ~~a-misdemeanor-punishable-by-a-fine-of-not-more~~
15 ~~than-seven-hundred-fifty-dollars--(\$750.00);--imprisonment~~
16 ~~for-not-more-than-six-(6)-months;-or-both-~~

17 (i) A FELONY PUNISHABLE BY IMPRISONMENT FOR
18 NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN
19 THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE MATERIALLY
20 FALSE STATEMENT IS MADE WITH THE INTENT OF GAINING A MONE-
21 TARY BENEFIT AND THE VALUE OF THE BENEFIT GAINED IS FIVE
22 HUNDRED DOLLARS (\$500.00) OR MORE;

1 (ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT
2 FOR NOT MORE THAN SIX (6) MONTHS, A FINE OF NOT MORE THAN
3 SEVEN HUNDRED FIFTY DOLLARS (\$750.00), OR BOTH, IF THE
4 MATERIALLY FALSE STATEMENT IS MADE WITH THE INTENT OF
5 GAINING A MONETARY BENEFIT GAINED IS LESS THAN FIVE HUN-
6 DRED DOLLARS (\$500.00);

7 (iii) A MISDEMEANOR PUNISHABLE BY A FINE OF NOT
8 MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00) IF THE
9 ACTOR HAS NO INTENT TO MAKE A MONETARY GAIN BY FILING THE
10 MATERIAL FALSE STATEMENT.

11 27-14-510. Misrepresentation, etc., by employee and
12 health care provider; penalty.

13 (a) Any employee who knowingly makes or allows any
14 misrepresentation or false statement to be made for the
15 purpose of receiving compensation to which he is not law-
16 fully entitled under this act is guilty of: ~~a--misdemeanor~~
17 ~~punishable--by-a-fine-of-not-more-than-seven-hundred-fifty~~
18 ~~dollars-(\$750.00)--imprisonment-for-not-more-than-six--(6)~~
19 ~~months--or-both--~~

20 (i) A FELONY PUNISHABLE BY IMPRISONMENT FOR
21 NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN
22 THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE VALUE OF

1 THE COMPENSATION IS FIVE HUNDRED DOLLARS (\$500.00) OR
2 MORE; OR

3 (ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT
4 FOR NOT MORE THAN SIX (6) MONTHS, A FINE OF NOT MORE THAN
5 SEVEN HUNDRED FIFTY DOLLARS (\$750.00), OR BOTH, IF THE
6 VALUE OF THE COMPENSATION IS LESS THAN FIVE HUNDRED DOL-
7 LARS (\$500.00).

8 (b) Any health care provider who knowingly files a
9 material false statement or claim WITH THE INTENTION OF
10 GAINING A MONETARY BENEFIT is guilty of: ~~a-misdemeanor~~
11 ~~punishable-by-a-fine-of-not-more-than-seven-hundred--fifty~~
12 ~~dollars--(\$750.00),-imprisonment-for-not-more-than-six-(6)~~
13 ~~months,-or-both-~~

14 (i) A FELONY PUNISHABLE BY IMPRISONMENT FOR
15 NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN
16 THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE VALUE OF
17 THE MONETARY GAIN IS FIVE HUNDRED DOLLARS (\$500.00) OR
18 MORE; OR

19 (ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT
20 FOR NOT MORE THAN SIX (6) MONTHS, A FINE OF NOT MORE THAN
21 SEVEN HUNDRED FIFTY DOLLARS (\$750.00), OR BOTH, IF THE
22 VALUE OF THE MONETARY GAIN IS LESS THAN FIVE HUNDRED DOL-

1 LARS (\$500.00).

2 (c) UPON CONVICTION THE COURT SHALL REQUIRE THE
3 DEFENDANT TO MAKE RESTITUTION TO THE DIVISION IN THE
4 AMOUNT OF COMPENSATION IMPROPERLY PAID OR THE VALUE OF THE
5 MONETARY GAIN BECAUSE OF THE DEFENDANT'S FRAUD.

6 Section 2. This act is effective July 1, 1987.

7 (END)

SF0200SS1/AC CORRECTED COPY

Page 1-line 1 After "W.S." insert "27-14-105 by creating a new subsection (e), 27-14-203 (b) and by creating new paragraphs (i), (ii) and (iii),".

Page 1-line 2 After ";" insert "providing penalties for attorneys in certain situations; providing penalties for employees in certain situations;".

Page 1-line 6 After "W.S." insert "27-14-105 by creating a new subsection (e), 27-14-203 (b) and by creating new paragraphs (i), (ii) and (iii),".

Page 1-line 7 Delete "is" insert "are".

Page 1-After line 7 insert:

27-14-105. Person other than employer legally liable for damages; reimbursement to state; notification of recovery; right of subrogation in state; penalty for failure to provide notice.

(e) ANY ATTORNEY WHO FAILS TO NOTIFY THE DIRECTOR AND ATTORNEY GENERAL OF ANY SETTLEMENT OR FAILS TO ENSURE THE STATE RECEIVES ITS SHARE OF THE PROCEEDS OF ANY SETTLEMENT OR JUDGMENT UNDER SUBSECTION (a) OF THIS SECTION WITH THE INTENT TO DEPRIVE ANY PERSON OF FUNDS TO WHICH THEY ARE ENTITLED IS GUILTY OF:

(i) A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE VALUE OF THE FUNDS TO BE DEPRIVED IS FIVE HUNDRED DOLLARS (\$500.00) OR MORE; OR

(ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN SIX (6) MONTHS, A FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00) OR BOTH, IF THE VALUE OF THE FUNDS TO BE DERIVED IS LESS THAN FIVE HUNDRED DOLLARS (\$500.00).

27-14-203. Penalty for failure of employer to file payroll, to make monthly payment; interest to be charged delinquent payments; enforcement and remedies; lien; enjoining operations; remedies not exclusive (Effective July 1, 1987).

(b) Any employer, or person acting on behalf of an employer, who fails to furnish a true copy of his payroll of employees of the employer or make payments required by this act to the director, is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00). Any employer, or person acting on behalf of an employer, who knowingly files a material false statement in regard to any matter under this act is guilty of: ~~a--misdemeanor--punishable--by--a--fine--of--not--more--than--seven--hundred~~

~~fifty-dollars-(\$750.00)-imprisonment-for-not-more-than--six
(6)-months-or-both:~~

(i) A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN TEN (10) YEARS, A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS (\$10,000.00), OR BOTH, IF THE MATERIALLY FALSE STATEMENT IS MADE WITH THE INTENT OF GAINING A MONETARY BENEFIT AND THE VALUE OF THE BENEFIT GAINED IS FIVE HUNDRED DOLLARS (\$500.00) OR MORE.

(ii) A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN SIX(6) MONTHS, A FINE OF NOT MORE THAN SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00) OR BOTH, IF THE MATERIALLY FALSE STATEMENT IS MADE WITH THE INTENT OF GAINING A MONETARY BENEFIT GAINED IS LESS THAN FIVE HUNDRED DOLLARS (\$500.00).

(iii) A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00) IF THE ACTOR HAS NO INTENT TO MAKE A MONETARY GAIN BY FILING THE MATERIAL FALSE STATEMENT.

Page 2-line 19 After "claim" insert "WITH THE INTENTION OF GAINING A MONETARY BENEFIT".

Page 3-line 4 Delete "COMPENSATION" insert "MONETARY GAIN".

Page 3-line 9 Delete "COMPENSATION" insert "MONETARY GAIN".

Page 3-line 13 Delete "DUE TO" insert "OR THE VALUE OF THE MONETARY CAIN BECAUSE OF". -DIXON

1 SF0200HS1/AF (TO ENGROSSED COPY)

2 Page 1-line 1 Delete "a".

3 Page 1-line 2 Delete "tion" insert "tions"; after "(e)"

4 insert "and (f)".

5 Page 1-line 3 After "(iii)" insert "and (j)".

6 Page 1-line 10 Delete "a".

7 Page 2-line 1 Delete "tion" insert "tions"; after "(e)"

8 insert "and (f)".

9 Page 2-line 2 After "(iii)" insert "and (j)".

10 Page 2-line 9 After "ENSURE" insert "THAT".

11 Page 2-line 22 Delete "DERIVED" insert "DEPRIVED".

12 Page 3-After line 1 Insert:

13 "(f) UPON CONVICTION UNDER SUBSECTION (e) OF THIS SEC-

14 TION, THE COURT SHALL REQUIRE THE DEFENDANT TO MAKE RESTITU-

15 TION TO THE DIVISION IN THE AMOUNT OF THE FUNDS DEPRIVED

16 BECAUSE OF THE DEFENDANT'S FRAUD."

17 Page 4-After line 10 Insert:

18 "(j) UPON CONVICTION UNDER SUBSECTION (b) OF THIS SEC-

19 TION, THE COURT SHALL REQUIRE THE DEFENDANT TO MAKE RESTITU-

20 TION TO THE DIVISION IN THE AMOUNT OF THE MONETARY BENEFIT

21 GAINED BY THE DEFENDANT'S FRAUD." MURPHY, CHAIRMAN

Adopted

1 SF0200H21/ACE (TO ENGROSSED COPY)

2 Page 2-lines 14 through 22 Delete entirely including the

3 standing committee amendment (SF0200HS1/AF)

4 to these lines.

5 Page 3-line 1 Delete entirely and insert:

6 "(i) UPON FIRST CONVICTION, A MISDEMEANOR PUN-

7 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN SIX (6) MONTHS, A

8 FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00),

9 OR BOTH;

10 "(ii) UPON SECOND CONVICTION, A MISDEMEANOR PUN-

11 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, A

12 FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00), OR

13 BOTH;

14 "(iii) UPON A THIRD OR SUBSEQUENT CONVICTION, A

15 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN TEN (10)

16 YEARS, A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS

17 (\$10,000.00), OR BOTH." BEBOUT, RATLIFF

Adopted

1 SF0200421/F (70 INCROSSED COPY)

2 Page 3-lines 17 through 22 Delete.

3 Page 4-lines 1 through 10 Delete entirely and insert:

4 "(i) UPON FIRST CONVICTION, A MISDEMEANOR PUN-
5 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN SIX (6) MONTHS, A
6 FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00),
7 OR BOTH;

8 "(ii) UPON SECOND CONVICTION, A MISDEMEANOR PUN-
9 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, A
10 FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00), OR
11 BOTH;

12 "(iii) UPON A THIRD OR SUBSEQUENT CONVICTION, A
13 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN TEN (10)
14 YEARS, A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS
15 (\$10,000.00), OR BOTH."

16 Page 4-lines 20 through 22 Delete.

17 Page 5-lines 1 through 7 Delete entirely and insert:

18 "(i) UPON FIRST CONVICTION, A MISDEMEANOR PUN-
19 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN SIX (6) MONTHS, A
20 FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00),
21 OR BOTH;

22 "(ii) UPON SECOND CONVICTION, A MISDEMEANOR PUN-
23 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, A
24 FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00), OR
25 BOTH;

26 "(iii) UPON A THIRD OR SUBSEQUENT CONVICTION, A
27 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN TEN (10)
28 YEARS, A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS
29 (\$10,000.00), OR BOTH."

30 Page 5-lines 14 through 22 Delete.

31 Page 6-line 1 Delete entirely and insert:

32 "(i) UPON FIRST CONVICTION, A MISDEMEANOR PUN-
33 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN SIX (6) MONTHS, A
34 FINE OF NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS (\$750.00),
35 OR BOTH;

36 "(ii) UPON SECOND CONVICTION, A MISDEMEANOR PUN-
37 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, A
38 FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00), OR
39 BOTH;

40 "(iii) UPON A THIRD OR SUBSEQUENT CONVICTION, A
41 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN TEN (10)
42 YEARS, A FINE OF NOT MORE THAN TEN THOUSAND DOLLARS
43 (\$10,000.00), OR BOTH." REPORT, RALPH