

Session 115 - (2003-2004)

H 3782 General Bill, By G.M. Smith

Summary: Fraudulent checks and collection agencies

A BILL TO AMEND SECTION 34-11-70, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EVIDENCE OF FRAUDULENT INTENT AND PROSECUTION FOR ISSUANCE OF ANY FRAUDULENT CHECK, DRAFT, OR OTHER WRITTEN ORDER, SO AS TO PROVIDE THAT A COMMERCIAL AGENT FOR COLLECTION OF AN OBLIGATION PAID FOR WITH ANY FRAUDULENT CHECK, DRAFT, OR OTHER WRITTEN ORDER DOES NOT HAVE THE SAME RIGHTS AS THE ORIGINAL PAYEE, AND MAY NOT RELY ON THE CIVIL OR CRIMINAL REMEDIES IN CHAPTER 11, TITLE 34, FOR PROSECUTING OR CIVILLY ENFORCING PAYMENT OF A FRAUDULENT CHECK, UNLESS THE CHECK, DRAFT, OR OTHER WRITTEN ORDER HAS BEEN ENDORSED OVER TO THE AGENT FOR COLLECTION FOR VALUE AND WITHOUT RESERVATION OF RIGHTS, AND THAT AN AFFIDAVIT EVIDENCING SUCH AN ENDORSEMENT MUST ACCOMPANY AN APPLICATION FOR A BAD CHECK WARRANT.

03/12/03 House Introduced and read first time HJ-9

03/12/03 House Referred to Committee on Judiciary HJ-9