

Session 115 - (2003-2004)

S 1110 General Bill, By Sheheen

Summary: Unsolicited checks, lenders who send must disclose that the check is to secure a loan

A BILL TO AMEND CHAPTER 5, TITLE 39, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNSOLICITED CHECKS TO SECURE LOANS, BY ADDING ARTICLE 6, SO AS TO PROVIDE THAT LENDERS WHO SEND UNSOLICITED CHECKS MUST DISCLOSE THAT THE CHECK IS TO SECURE A LOAN, MUST PROVIDE NOTICE OF THE TERMS OF THE LOAN, AND MUST PROVIDE NOTICE TO RECIPIENTS THAT BY CASHING THE CHECK THEY HAVE ENTERED INTO A LOAN AGREEMENT, TO PROVIDE PROTECTION FOR INTENDED PAYEES WHEN THE UNSOLICITED CHECK IS CASHED FRAUDULENTLY, AND TO PROVIDE THAT A VIOLATION OF THIS SECTION IS AN UNFAIR TRADE PRACTICE AND SUBJECT TO PENALTIES AND ENFORCEMENT AS PROVIDED FOR UNDER THIS CHAPTER.

03/31/04 Senate Introduced and read first time SJ-8

03/31/04 Senate Referred to Committee on Judiciary SJ-8