

Session 113 - (1999-2000)

H 3456 General Bill, By Cobb-Hunter, J.H. Neal and M. Hines

Summary: Checks, fraudulent; check cashing or deferred presentment services; Banks and Savings and Loan Associations

A BILL TO AMEND SECTION 34-11-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRAWING AND UTTERING A FRAUDULENT CHECK, DRAFT, OR OTHER WRITTEN ORDER, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO A CHECK GIVEN TO A DEFERRED PRESENTMENT SERVICE OR A CHECK CASHING SERVICE; TO AMEND SECTION 34-11-70, AS AMENDED, RELATING TO EVIDENCE OF FRAUDULENT INTENT AND PROSECUTION FOR ISSUANCE OF A FRAUDULENT CHECK, DRAFT, OR OTHER WRITTEN ORDER, SO AS TO PROVIDE THAT A COMMERCIAL AGENT FOR COLLECTION OF AN OBLIGATION PAID FOR WITH A FRAUDULENT CHECK, DRAFT, OR OTHER WRITTEN ORDER DOES NOT HAVE THE SAME RIGHTS AS THE ORIGINAL PAYEE UNLESS THE CHECK, DRAFT, OR OTHER WRITTEN ORDER HAS BEEN ENDORSED OVER TO THE AGENT FOR COLLECTION FOR VALUE AND WITHOUT RESERVATION OF RIGHTS; TO AMEND SECTION 34-39-180, RELATING TO REGULATION OF DEFERRED PRESENTMENT SERVICES AND SECTION 34-41-60, RELATING TO REGULATION OF CHECK CASHING SERVICES, SO AS TO PROVIDE THAT NEITHER SERVICE MAY RELY ON THE CIVIL OR CRIMINAL REMEDIES IN CHAPTER, 11, TITLE 34, FOR PROSECUTING OR CIVILLY ENFORCING PAYMENT OF A FRAUDULENT CHECK.

02/04/99 House Introduced and read first time HJ-17

02/04/99 House Referred to Committee on Judiciary HJ-17

02/18/99 House Recalled from Committee on Judiciary HJ-18

02/18/99 House Referred to Committee on Labor, Commerce and Industry HJ-18