

"AN ACT TO AMEND SECTION 2 OF ACT 241 OF 1959, AS AMENDED, [ARK. STAT. 67-720], TO MAKE IT UNLAWFUL TO MAKE PAYMENT OF RENT WITH A HOT CHECK; TO AMEND SUBSECTION (A) OF SECTION 1 OF ACT 33 OF THE FIRST EXTRAORDINARY SESSION OF 1985 [ARK. STAT. 67-726(A)], TO MAKE IT UNLAWFUL TO KNOWINGLY ISSUE A WORTHLESS CHECK TO MAKE PAYMENT OF RENT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1.1 Section 2 of Act 241 of 1959, as amended, the same being Arkansas Statutes 67-720, is hereby amended to read as follows:

"Section 2. It shall be unlawful for any person to procure any article or thing of value, or to secure possession of any personal property to which a lien has attached, or to make payment of rent, or to make payment of any taxes, licenses or fees, or any fine or court costs, or for any other purpose to make or draw or utter or deliver, with the intent to defraud, any check, draft or order, for the payment of money, upon any in-state or out-of-state bank, person, firm, or corporation, knowing at the time of such making, drawing, uttering or delivering, that the maker, or drawer, has not sufficient funds in, or on deposit with, such bank, person, firm, or corporation for the payment of such check, draft or order, in full, and all other checks, drafts, or orders upon such funds then outstanding."

SECTION 2. Subsection (A) of Section 1 of Act 33 of the First Extraordinary Session of 1985, the same being Arkansas Statute 67-726(A), is hereby amended to read as follows:

"(A) A person commits an offense if he issues or passes a check, order or draft for the payment of money knowing that the issuer does not have sufficient funds in or on deposit with the bank or other drawee for the payment in full of the check, order or draft as well as all other checks, orders or drafts outstanding at the time of issuance. This Act does not apply to pre-existing debt or situations where nothing of value was acquired; but does apply to rents, consignments, taxes, licenses, fees, fines and court costs."

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: February 19, 1987

---