

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

SENATE BILL 342

4  
5 By: Senators Wooldridge, Miller  
6  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 26-18-208 TO  
10 IMPOSE A PENALTY FOR MAKING INCOMPLETE PAYMENTS  
11 TO THE DIRECTOR FOR ANY TAXES, LICENSES, OR FEES  
12 BY MEANS OF AN ELECTRONIC FUNDS TRANSFER; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15 IMPOSES A PENALTY FOR INCOMPLETE  
16 ELECTRONIC PAYMENTS OF TAXES, LICENSES,  
17 OR FEES.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 26-18-208(9), pertaining to penalties, is  
24 amended to read as follows:

25 (9)(A) If any person makes payment to the director for any  
26 taxes, licenses, or fees imposed by any laws of this state, by means of a  
27 check, draft, ~~or order~~, electronic funds transfer, or any other form of  
28 presentment involving the transmission of account information for the payment  
29 of money upon ~~drawn on~~ any bank, person, firm, or corporation having  
30 insufficient funds in, or on deposit with, the bank, person, firm or  
31 corporation for the payment of the check, draft, order, electronic funds  
32 transfer, or any other form of presentment ~~without having been paid in full,~~  
33 the director is authorized and empowered to impose a penalty of ten percent  
34 (10%) of the face amount of the check, draft, ~~or order~~, electronic funds  
35 transfer, or any other form of presentment or twenty dollars (\$20.00),  
36 whichever is greater, against the maker or drawer of the check, draft, ~~or~~



1 order, electronic funds transfer, or any other form of presentment.

2           (B) This subdivision shall not apply if the person  
3 establishes to the satisfaction of the director that he tendered the check,  
4 draft, ~~or~~ order, electronic funds transfer, or any other form of presentment  
5 in good faith and with reasonable cause to believe it would be duly paid.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36