

**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.**

INTERIM STUDY PROPOSAL 2007-058

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

HOUSE BILL 2389

By: Representative D. Creekmore  
By: Senator Broadway

Referred to  
Insurance & Commerce- House  
by the House of Representatives  
on 04/02/2007

## For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE § 5-37-303  
CONCERNING NOTICE THAT PAYMENT WAS REFUSED BY A  
DRAWEE FOR LACK OF FUNDS; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND ARKANSAS CODE § 5-37-303  
CONCERNING NOTICE THAT PAYMENT WAS  
REFUSED BY A DRAWEE FOR LACK OF FUNDS.

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

SECTION 1. Arkansas Code § 5-37-303(a), concerning the notice sent regarding worthless checks, is amended to read as follows:

(a) For purposes of this section and § 5-37-304, notice that payment was refused by the drawee for lack of funds shall be sent by ~~certified mail, registered mail evidenced by return receipt, or by~~ regular mail supported by an affidavit of mailing, to the address printed on the instrument or given at the time of issuance or to the current residence.

SECTION 2. Arkansas Code § 5-37-303(b)(2), concerning the contents of an affidavit of mailing of notice of insufficient funds, is amended to read

1 as follows:

2 (2) ~~If notice is sent by an affidavit of mailing,~~ The  
3 affidavit of mailing shall contain a copy of the notice and shall  
4 substantially state:

5

6 "Affi davi t of Mail ing

7

8 I am over the age of eighteen (18) years and on \_\_\_\_\_  
9 (date), I mailed notice of insufficient funds under Arkansas Code § 5-37-303  
10 to the addressee set forth below in an official depository under the  
11 exclusive care and custody of the United States Postal Service in  
12 \_\_\_\_\_ (ci ty, county, state),  
13 addressed as follows:

14

15

16 \_\_\_\_\_

17 (name and address of addressee).

18

19 \_\_\_\_\_ (Si gnature)

20

21 \_\_\_\_\_ (Date)

22

23 (Notary)

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25 \_\_\_\_\_ ".  
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