

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1262

By: Representative Mahony

For An Act To Be Entitled

"AN ACT TO AMEND TITLE 5, CHAPTER 37, SUBCHAPTER 3 OF THE ARKANSAS CODE OF 1987 TO MAKE PAYMENT OF COURT ORDERED SUPPORT WITHOUT SUFFICIENT FUNDS VIOLATES THE ARKANSAS HOT CHECK LAW; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 5-37-302 is hereby amended to read as follows:

"5-37-302. Unlawful acts. It shall be unlawful for any person:

(1) 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, fees, any fine or court costs, or any court ordered payment of support 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.

(2) To make, draw, utter, or deliver or to cause or direct the making, drawing, uttering, or delivering of any check, draft, or order for the payment of money on any in-state or out-of-state bank, person, firm, or corporation in payment of wages or salaries for personal services rendered, knowing that the maker, drawer, or payor does not have sufficient funds in or on deposit with such bank, person, firm, or corporation for the payment in full of such check, draft, or order, as well as all other then-outstanding checks, drafts, or orders upon such funds, and with no good reason to believe the check, draft, or order would be paid upon presentation to the person or bank upon which same

was drawn.

(3) After he has made, drawn, uttered, or delivered a check, draft, or order for the payment of money upon any in-state or out-of-state bank to withdraw or cause to be withdrawn, with intent to defraud, the funds or any part thereof that have been deposited in the bank before presentment of the check, draft, or order for payment, without leaving sufficient funds in the bank for payment in full of the check, draft, or order and all other checks, drafts, or orders upon the funds then outstanding."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

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 All laws and parts of laws in conflict with this act are hereby repealed.