

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1331

4
5 By: Representative Verkamp
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For An Act To Be Entitled

8
9 AN ACT TO ALLOW PROSECUTION FOR MAKING
10 PREEXISTING DEBT PAYMENTS WITH WORTHLESS CHECKS;
11 AND FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO ALLOW PROSECUTION FOR MAKING
15 PREEXISTING DEBT PAYMENTS WITH WORTHLESS
16 CHECKS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-37-302(1), pertaining to unlawful acts
22 involving worthless checks, is amended to read as follows:

23 It shall be unlawful for any person:

24 (1) To procure any article or thing of value or to secure
25 possession of any personal property to which a lien has attached or to make
26 payment of rent or to make payment of a child support payment or to make
27 payment of any taxes, licenses, or fees, or any fine or court costs, or to
28 make payment of any preexisting debt, or for any other purpose to make or
29 draw or utter or deliver, with the intent to defraud, any check, draft,
30 order, or any other form of presentment involving the transmission of account
31 information for the payment of money upon any in-state or out-of-state bank,
32 person, firm, or corporation, knowing at the time of such making, drawing,
33 uttering, or delivering that the maker or drawer has not sufficient funds in,
34 or on deposit with, such bank, person, firm, or corporation for the payment
35 of such check, draft, order, or other form of presentment involving the
36 transmission of account information in full, and all other checks, drafts,



1 orders, or other forms of presentment involving the transmission of account
2 information upon such funds then outstanding;

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4 SECTION 2. Arkansas Code § 5-37-307(a), pertaining to issuing
5 worthless checks, is amended to read as follows:

6 (a)(1) A person commits an offense if he or she issues or passes a
7 check, order, draft, or any other form of presentment involving the
8 transmission of account information for the payment of money knowing that the
9 issuer does not have sufficient funds in or on deposit with the bank or other
10 drawee for the payment in full of the check, order, draft, or any other form
11 of presentment involving the transmission of account information, as well as
12 all other checks, orders, drafts, or any other form of presentment involving
13 the transmission of account information outstanding at the time of issuance.

14 (2) This section and § 21-6-411 ~~do not~~ shall apply to
15 ~~preexisting debt or situations where nothing of value was acquired, but do~~
16 ~~apply to~~ rents, child support payments, consignments, taxes, licenses, fees,
17 fines, and court costs.

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