

MAINE STATE LEGISLATURE

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L.D. 1671

(Filing No. S- 360)

STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to S.P. 594, L.D. 1671, Bill, "An Act to Correct Errors and Inconsistencies in the Laws of Maine"

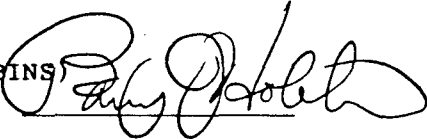
Amend the amendment in that part designated "PART D" by inserting after section 2 the following:

'Sec. 3. 14 MRSA §6071, sub-§2, as enacted by PL 1989, c. 357, is amended to read:

2. Failure to make restitution. If a judgment is made against a maker, issuer or drawer pursuant to subsection 1, paragraphs A and B and that person fails to make restitution on the date of judgment, the maker, issuer issuer or drawer shall pay to the holder interest at the rate of 12% per annum from the date of dishonor and collection costs not to exceed \$40 or the face amount of the check, whichever is less. In the event of court action, the court ~~after notice and the expiration of the 10 days,--shall~~ may award reasonable attorney's fees to the prevailing party.'

STATEMENT OF FACT

This amendment clarifies when a court may award attorney's fees in a case concerning the issuance of a bad check or other worthless instrument.

(Senator HOBBSINS)
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