

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1892

S.P. 670

In Senate, March 16, 1999

An Act to Refine Certain Theft Provisions in the Law.

Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator NUTTING of Androscoggin.
Cosponsored by Representative BUMPS of China and
Senator DAGGETT of Kennebec, Representative: POVICH of Ellsworth.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 17-A MRS §360-A is enacted to read:**

6 **§360-A. Failure to provide payment on a bad check**

8 A person is guilty of failure to provide payment on a bad check if:

10 1. That person intentionally or knowingly has no account with the drawee at the time the instrument was negotiated; or

12 2. Payment was refused by the drawee for lack of funds upon presentment made within the time frame specified in Title 11, section 3-1304, and the drawer failed to honor the drawer's contract within 5 days after actual receipt of a notice of dishonor, as defined in Title 11, section 3-1503.

18 Notwithstanding section 362, failure to provide payment on a bad check is a Class E crime. The court shall order the defendant to pay restitution in the amount of the bad check.

22 **SUMMARY**

24 **26** This bill makes failure to provide payment on a bad check a Class E crime. The court shall order the defendant to pay
28 restitution in the amount of the bad check.