

SENATE BILL 3332
By Crowe

AN ACT to amend Tennessee Code Annotated, Title 45, Chapter 17, Part 1, relative to penalties and fines for certain violations by persons utilizing deferred presentment services.

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

SECTION 1. Tennessee Code Annotated, Title 45, Chapter 17, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. (a) Notwithstanding the provisions of Section 45-17-112, it is an offense for a customer to have, in the aggregate, more than two (2) checks outstanding at one or more licensees where the aggregate face value of all outstanding checks exceeds five hundred dollars (\$500.00), if:

(1) the customer knows at the time such checks are written that funds are not available and will not be available in such customer's account to cover the checks at the end of the agreement signed with the deferred presentment licensee; and

(2) the customer cannot pay the face amount of the check upon demand of the licensee.

(b) If the requirements of subsection (a) are met such checks are worthless checks under the provisions of §39-14-121.

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(c) A violation of this section is punishable as theft pursuant to §39-14-105.

Value shall be determined by the amount appearing on the face of the check on the date of issue.

SECTION 2. This act shall take effect July 1, 1998, the public welfare requiring it.