

SHORT TITLE: Crimes and punishments; bogus checks; emergency.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 729

By: Smith

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1541.4, which relates to definition of bogus checks; modifying language; including in definition certain checks for payment to court clerk; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S 1991, Section 1541.4, is amended to read as follows;

Section 1541.4 The term "false or bogus check or checks" shall include checks or orders which are not honored on account of insufficient funds of the maker to pay same, or because the check or order was drawn on a closed account or on a nonexistent account when such checks or orders are given in exchange for money or property or in exchange for any benefit or thing of value, ~~as against the maker or drawer thereof, the~~ or which checks or orders are given by the maker or drawer to the clerk of any court of record of the State of Oklahoma for the payment, satisfaction or credit of any account within any court case record kept by the clerk as custodian of the files of the court. The making, drawing, uttering or delivering of a check, draft or order, payment of which is refused by the drawee, shall be prima facie evidence against the maker or drawer thereof of intent to defraud and the knowledge of insufficient funds in, or credit with, such bank or other depository; provided, such maker or

drawer shall not have paid the drawee thereof the amount due thereon, together with the protest fees, within five (5) days from the date the same is presented for payment; and provided, further, that said check or order is presented for payment within thirty (30) days after same is delivered and accepted.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-2-2033

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