

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1056

By: Weese

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1541.4, which relates to false and bogus checks; modifying definition; modifying terms; providing for recodification; and providing an effective date.

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~~ the check or order, or because the check or order was drawn on a closed account or on a nonexistent account when ~~such~~ the checks or orders are given in exchange for money or property or in exchange for any benefit or thing of value, or in exchange for the rental of personal property, as against the maker or drawer ~~thereof, the~~ of the check or order. The making, drawing, uttering or delivering of a check, draft, or order, payment of which is refused by the ~~drawee~~ bank or other depository, shall be prima facie evidence of intent to defraud and the knowledge of insufficient funds in, or credit with, such bank or other depository; ~~provided, such~~ unless the maker or drawer shall

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

SECTION 2. RECODIFICATION 21 O.S. 1991, Sections 1627 and 1627.1, shall be recodified as Sections 1541.4a and 1541.4b, respectively, of Title 21 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 3. This act shall become effective November 1, 1997.

46-1-5038 LAC