

**HOUSE BILL NO. 1243**

Introduced by

Representatives L. Thoreson, Mahoney

Senators Krebsbach, Traynor

1 A BILL for an Act to amend and reenact subsection 1 of section 6-08-16 of the North Dakota  
2 Century Code, relating to issuing a check without sufficient funds; to provide a penalty; and to  
3 declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 6-08-16 of the 1997 Supplement  
6 to the North Dakota Century Code is amended and reenacted as follows:

7 1. A person may not, for that person, as the agent or representative of another, or as  
8 an officer or member of a firm, company, copartnership, or corporation, make,  
9 draw, utter, or deliver any check, draft, or order for the payment of money upon a  
10 bank, banker, or depository, if at the time of the making, drawing, uttering, or  
11 delivery, or at the time of presentation for payment, if the presentation for payment  
12 is made within fourteen days after the original delivery thereof, there are not  
13 sufficient funds in or credit with the bank, banker, or depository to meet the check,  
14 draft, or order in full upon its presentation. Violation of this subsection is ~~an~~  
15 ~~infraction if the amount of insufficient funds or credit is not more than one hundred~~  
16 ~~dollars,~~ a class B misdemeanor if the amount of insufficient funds or credit is ~~more~~  
17 ~~than one hundred dollars and~~ not more than five hundred dollars, and a class A  
18 misdemeanor if the amount of insufficient funds or credit is more than five hundred  
19 dollars.

20 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.