

1 H BILL NO. 607
2 INTRODUCED BY FAGET

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW BOND IN THE
5 CASE OF TRAFFIC VIOLATIONS TO BE MADE BY CHECK IN LIEU OF
6 CASH."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Check in lieu of cash. (1) In the case of
10 traffic violations, bond may be made by personal check in
11 lieu of cash. Highway patrolmen or other authorized agents
12 receiving bonds on behalf of the court may accept a personal
13 check in lieu of cash provided that:

14 (a) the check is drawn on a bank chartered in the
15 state of Montana; and

16 (b) the person who writes the check in lieu of cash
17 bond has two documents identifying him.

18 (2) If a check is offered in lieu of cash, the person
19 who accepts the check is not liable in the case of
20 insufficient funds.

21 (3) A person who writes a check in lieu of cash bond
22 which is returned for insufficient funds is guilty of
23 issuing a bad check under 94-6-309 and shall be prosecuted
24 accordingly.

-End-

INTRODUCED BILL

HB607

STATE OF MONTANA

REQUEST NO. 336-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 1, 19 77, there is hereby submitted a Fiscal Note for House Bill 607 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to allow bond in the case of traffic violations to be made by check in lieu of cash.

ASSUMPTION:

There would be no direct fiscal impact to the state under the provisions of this bill; however, there could be some associated costs for bad debt collections.

Richard L. Drayton
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-3-77

Approved by Committee
on Judiciary

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17 bond has two documents identifying him.

18 (2) If a check is offered in lieu of cash, the person
19 HIGHWAY PATROLMAN OR OTHER AUTHORIZED AGENT who accepts the
20 check is not liable in the case of ~~insufficient funds~~
21 NON-PAYMENT.

22 (3) A person who writes a check in lieu of cash bond
23 which is returned for insufficient funds is guilty of
24 issuing a bad check under 94-6-309 and shall be prosecuted
25 accordingly.

-End-

SECOND READING

HB 607

THIRD READING

MISSING

March 16, 1977

SENATE
STANDING COMMITTEE REPORT

That House Bill No. 607 be amended as follows:

1. Amend page 1, section 1, line 14.

Following: "bank"

Strike: "chartered"

Insert: "domiciled"

2. Amend page 1, section 1, lines 23 through 25.

Following: "funds is"

Strike: "guilty of issuing a bad check under 94-6-309 and shall be prosecuted accordingly"

Insert: "subject to prosecution under 94-6-309, and obtaining bond constitutes securing services for the purpose of that section"

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19 ~~HIGHWAY PATROLMAN OR OTHER AUTHORIZED AGENT~~ who accepts the
20 check is not liable in the case of ~~insufficient funds~~
21 ~~NON-PAYMENT~~.

22 (3) A person who writes a check in lieu of cash bond
23 which is returned for insufficient funds is ~~guilty of~~
24 ~~issuing a bad check under 94-6-309 and shall be prosecuted~~
25 ~~accordingly~~ SUBJECT TO PROSECUTION UNDER 94-6-309, AND

1 OBTAINING BOND CONSTITUTES SECURING SERVICES FOR THE
2 PURPOSES OF THAT SECTION.

-End-