

House Bill 783

In The House

February 16, 1981

Introduced and referred
to Committee on Judiciary.

February 24, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 783
2 INTRODUCED BY League of Women Voters
3 Planned Astoria
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DECREASE FROM \$150
5 TO \$75 THE AMOUNT AT WHICH A BAD CHECK CONSTITUTES A FELONY;
6 AMENDING SECTION 45-6-316, MCA."

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

9 Section 1. Section 45-6-316, MCA, is amended to read:

10 "45-6-316. Issuing a bad check. (1) A person commits

11 the offense of issuing a bad check when, with the purpose of

12 obtaining control over property or to secure property,

13 labor, or services of another, he issues or delivers a check

14 or other order upon a real or fictitious depository for the

15 payment of money knowing that it will not be paid by the

16 depository.

17 (2) If the offender has an account with the
18 depository, failure to make good the check or other order
19 within 5 days after written notice of nonpayment has been
20 received by the issuer is prima facie evidence that he knew
21 that it would not be paid by the depository.

22 (3) A person convicted of issuing a bad check shall be
23 fined not to exceed \$500 or be imprisoned in the county jail
24 for any term not to exceed 6 months, or both. If the
25 offender has engaged in issuing bad checks which are part of

1 a common scheme or if the value of any property, labor, or
2 services obtained or attempted to be obtained exceeds \$150
3 \$75, he shall be imprisoned in the state prison for any term
4 not to exceed 10 years."

-End-

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