

SENATE BILL 138

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2003 Regular Session
3lr0759
CF 3lr0758

By: **Chairman, Judicial Proceedings Committee (Maryland Judicial Conference)**

Introduced and read first time: January 24, 2003

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Circuit Courts and District Court - Bad Checks - Service Charges**

3 FOR the purpose of altering the amount of certain charges that may be imposed in a
4 circuit court or the District Court if certain checks are dishonored; providing
5 that, in addition to a dishonored check drawn from a bank, a certain service
6 charge may be imposed in a circuit court if a check is not honored by any other
7 financial institution; providing that a charge that may be imposed in the
8 District Court if certain checks are dishonored is a service charge rather than a
9 court cost; and generally relating to service charges that may be imposed in a
10 circuit court or the District Court for certain checks that are dishonored by a
11 financial institution.

12 BY repealing and reenacting, with amendments,
13 Article - Courts and Judicial Proceedings
14 Section 7-208 and 7-301(d)
15 Annotated Code of Maryland
16 (2002 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Courts and Judicial Proceedings**

20 7-208.

21 (A) If any person gives a check to the clerk to pay for any charge or for any
22 other purpose and the check is not honored by the [bank] FINANCIAL INSTITUTION
23 on which it is drawn, the clerk may impose a service charge of [\$10] \$35 against the
24 party drawing the check.

25 (B) [This] THE SERVICE charge UNDER THIS SECTION shall be in addition to
26 any other penalty prescribed by law.

1 7-301.

2 (d) (1) [When] IF a person pays court costs or a fine with a check in any
3 motor vehicle, criminal, or civil case in the District Court, and the check is returned to
4 the court by the financial institution on which it is drawn because of insufficient
5 funds in the account, or because the account has been closed or never existed, [then]
6 the court may impose [additional costs of \$10] A SERVICE CHARGE OF \$35 against the
7 party issuing the check.

8 (2) [These costs] THE SERVICE CHARGE UNDER THIS SUBSECTION shall
9 be in addition to any other penalty [now] prescribed by law.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2003.