HB0813/524767/1

<u>AMENDMENTS TO HOUSE BILL 813</u>
(First Reading File Bill)

<u>AMENDMENT NO. 1</u>

On page 1, in line 5, strike the second "and" and substitute a comma; in line 6, after "Fund" insert "<u>, and the Unpresented Checks Fund</u>"; and in line 9, after "7-229" insert "<u>and 7-230</u>".

<u>AMENDMENT NO. 2</u>

On page 2, after line 33, insert:

"<u>7–230.</u>

 (a) <u>In this section, "Fund" means the Unpresented Checks Fund.</u>

 (b) <u>There is an Unpresented Checks Fund.</u>

 (c) <u>At the end of each fiscal year, the Treasurer shall:</u>

  (1) <u>identify each check that:</u>

   (i) <u>has been issued against the money of the State; and</u>

   (ii) <u>has remained unpresented for 2 years;</u>

  (2) <u>request the Comptroller to credit the aggregate amount of the checks to the Fund.</u>

 (d) <u>At the end of each fiscal year, the Treasurer shall:</u>

<div align="right">(Over)</div>

(1)   determine a reasonable minimum balance to retain in the Fund that will be needed to honor each check that is presented after its amount has been credited to the Fund; and

(2)   request the Comptroller to transfer the balance in the Fund to the General Fund of the State.

(e)   After the amount of a check has been credited to the Fund, on a warrant charged against the Fund, the Treasurer, the Chief Deputy Treasurer, or a deputy treasurer may reissue a check that is presented for payment.

(f)   As required by State or federal law, or as considered proper by the Treasurer, the Treasurer, the Chief Deputy Treasurer, or a deputy treasurer shall:

(1)   void an unpresented check; and

(2)   request the Comptroller to transfer the amount of the voided check to:

(i)   the original source of the money; or

(ii)   another fund or account.

(g)   Unpresented checks credited to the Fund are not subject to Title 17 of the Commercial Law Article.

(H)   NOTWITHSTANDING § 10-617 OF THE STATE GOVERNMENT ARTICLE, AT THE END OF EACH FISCAL YEAR, THE TREASURER MAY ELECTRONICALLY PUBLISH ON THE TREASURER'S WEBSITE THE NAMES OF PAYEES OF CHECKS THAT HAVE REMAINED UNPRESENTED FOR 2 YEARS OR MORE.".