

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1852 Session of
1997

INTRODUCED BY LLOYD, DENT, SURRA, LEDERER, PESCI, WALKO, THOMAS,
RAYMOND, BELFANTI, STEELMAN, BELARDI, CAWLEY AND BATTISTO,
OCTOBER 1, 1997

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 1, 1997

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for bad checks.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 4105(c) of Title 18 of the Pennsylvania
6 Consolidated Statutes is amended by adding a paragraph and the
7 section is amended by adding a subsection to read:

8 § 4105. Bad checks.

9 * * *

10 (c) Grading.--

11 * * *

12 (3) An offense under this section is a misdemeanor of
13 the first degree if the check or order is less than \$1,000
14 and the violation involves the issuing or passing of more
15 than one check or similar sight order for the payment of
16 money within a 24-hour period.

17 * * *

1 (f) Confiscation of checks or orders.--

2 (1) A person who is charged with a violation under this
3 section may be ordered by the court at the preliminary
4 hearing to surrender to the court all checks or similar sight
5 orders for the payment of money remaining on a closed account
6 or an account which has insufficient funds.

7 (2) It shall be the duty of the court to take custody of
8 all checks or similar sight orders for the payment of money
9 surrendered to it under this subsection. Upon notification of
10 the financial institution upon which the bad check or similar
11 sight order for the payment of money was drawn, the
12 confiscated checks may be delivered to the district attorney
13 of the county in which the confiscation was made. Upon
14 conviction, the district attorney shall cause the confiscated
15 checks to be destroyed, except that, upon request from the
16 financial institution, the court may order that the
17 confiscated checks or orders be delivered to such financial
18 institution for disposition.

19 (3) Whenever surrender of checks or sight orders has
20 been ordered by the court pursuant to this subsection and the
21 offender has been placed on probation or parole, compliance
22 with such order may be made a condition of such probation or
23 parole.

24 Section 2. This act shall take effect in 60 days.