

HB 1757 -- Fraudulently Stopping Payment on a Check

Sponsor: Sager

This bill creates the crime of fraudulently stopping payment on an instrument for services. The bill removes the requirement that the stop payment order be made with the intent to defraud.

Under current law, the purchaser must return any goods when stopping payment on the check; and failure to do so is prima facie evidence of the crime. Current law has no requirement for when the payment was for services. The bill adds that when the payment is for services, the purchaser must inform the provider that the stop payment was made because of a problem with the services rendered. Failure to notify the provider is prima facie evidence of the crime.