

SENATE No. 1868

The Commonwealth of Massachusetts

SENATE, May 18, 1987.

The committee on Criminal Justice, to whom was recommitted the petition (accompanied by bill, Senate, No. 140) of Paul V. Doane, the National Federation of Independent Business, by Linda M. Noonan, state director, and Peter B. Morin for legislation to increase the penalties for drawing and uttering bad checks, drafts and orders on banks and other organizations, reports the accompanying bill (Senate, No. 1868).

For the committee,

PAUL D. HAROLD.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT RELATIVE TO DRAWING AND UTTERING BAD CHECKS, DRAFTS AND
ORDERS ON BANKS AND OTHER ORGANIZATIONS.

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:*

- 1 Section 37 of Chapter 266 of the General Laws, as appearing
- 2 in the 1984 Official Edition, is hereby amended by adding the
- 3 following: —
- 4 The maker or drawer of such check, draft or order for the
- 5 payment of money upon any bank or depository, or person, firm
- 6 or corporation, which refuses to honor the same for lack of funds
- 7 or credit to pay, or because the maker or drawer has no account
- 8 with the drawee, and who fails to pay the same amount in cash
- 9 to the payee within thirty days following a written demand
- 10 therefor delivered to the drawer or maker by certified mail, shall
- 11 be liable to the payee for the amount owing upon such check, draft
- 12 or order, and for liquidated damages as determined by the court,
- 13 which in no event shall exceed five hundred dollars.