

(2) HE INTENDS OR BELIEVES AT THE TIME OF UTTERANCE THAT PAYMENT WILL BE REFUSED BY THE DRAWEE UPON PRESENTATION<sub>v.i</sub> AND

(3) PAYMENT IS REFUSED BY THE DRAWEE UPON PRESENTATION.

(B) (1) HE OBTAINS PROPERTY OR SERVICES BY PASSING A CHECK KNOWING THAT THE DRAWER THEREOF HAS INSUFFICIENT FUNDS WITH THE DRAWEE TO COVER IT<sub>v.i</sub> AND

(2) HE INTENDS OR BELIEVES AT THE TIME THE CHECK IS PASSED THAT PAYMENT WILL BE REFUSED BY THE DRAWEE UPON PRESENTATION<sub>v.i</sub> AND

(3) PAYMENT IS REFUSED BY THE DRAWEE UPON PRESENTATION.

(C) ~~(4)~~ AS A DRAWER OR REPRESENTATIVE DRAWER, HE OBTAINS PROPERTY OR SERVICES BY UTTERING A CHECK KNOWING THAT HE OR HIS PRINCIPAL, AS THE CASE MAY BE, AT THE TIME OF UTTERING THE CHECK INTENDS, WITHOUT THE CONSENT OF THE PAYEE, TO STOP OR COUNTERMAND THE PAYMENT OF THE CHECK, OR OTHERWISE TO CAUSE THE DRAWEE TO DISREGARD OR DISHONOR OR REFUSE TO RECOGNIZE THE CHECK, AND PAYMENT IS REFUSED BY THE DRAWEE UPON PRESENTATION.

~~(2)~~ (D) HE OBTAINS PROPERTY OR SERVICES BY PASSING A CHECK KNOWING THAT PAYMENT OF THE CHECK HAS BEEN STOPPED OR COUNTERMANDED, OR THE DRAWEE OF THE CHECK WILL DISREGARD OR DISHONOR OR REFUSE TO RECOGNIZE THE CHECK, AND PAYMENT IS REFUSED BY THE DRAWEE UPON PRESENTATION.

#### 142. OBTAINING PROPERTY OR SERVICES BY A BAD CHECK; PRESUMPTIONS.

(A) WHEN THE DRAWER OF A CHECK HAS INSUFFICIENT FUNDS WITH THE DRAWEE TO COVER IT AT THE TIME OF UTTERANCE, THE SUBSCRIBING DRAWER OR REPRESENTATIVE DRAWER, AS THE CASE MAY BE, IS PRESUMED TO KNOW OF THE INSUFFICIENCY.

(B) A SUBSCRIBING DRAWER OR REPRESENTATIVE DRAWER, AS THE CASE MAY BE, OF AN ULTIMATELY DISHONORED CHECK IS PRESUMED TO HAVE INTENDED OR BELIEVED THAT THE CHECK WOULD BE DISHONORED UPON PRESENTATION WHEN:

(1) THE DRAWER HAD NO ACCOUNT WITH THE DRAWEE AT THE TIME OF UTTERANCE; OR

(2) (I) THE DRAWER HAD INSUFFICIENT FUNDS WITH THE DRAWEE AT THE TIME OF UTTERANCE; AND

(II) THE CHECK WAS PRESENTED TO THE DRAWEE FOR PAYMENT NOT MORE THAN 30 DAYS AFTER THE DATE OF UTTERANCE; AND

(III) THE DRAWER HAD INSUFFICIENT FUNDS WITH THE DRAWEE AT THE TIME OF PRESENTATION.