

a property interest in the property or the person who provided the services. Restitution may be ordered to the extent that the property is not restored or compensation has not been provided for the services; AND

(3) ORDER THE DEFENDANT TO PAY A COLLECTION FEE OF UP TO \$25 FOR EACH BAD CHECK TO THE PERSON HAVING A PROPERTY INTEREST IN THE PROPERTY OR THE PERSON WHO PROVIDED THE SERVICES.

144A.

~~(A) FOR THE PURPOSES OF ESTABLISHING THAT THE DEFENDANT IS THE PERSON WHO UTTERED OR PASSED A BAD CHECK OR CHECKS, AN AFFIDAVIT SIGNED BY THE PERSON WHO ACQUIRED A RIGHT AGAINST THE DRAWER WITH RESPECT TO THE CHECK IS PRIMA FACIE EVIDENCE THAT THE CHECK DELIVERED TO THE PERSON OR THE PERSON'S EMPLOYEE WAS THE CHECK UTTERED OR PASSED BY DEFENDANT, WITHOUT THE NECESSITY OF THE PERSON'S EMPLOYEE PERSONALLY APPEARING IN COURT, PROVIDED THE AFFIDAVIT IDENTIFIES THE PERSON'S EMPLOYEE.~~

~~(B) THE AFFIDAVIT SHALL CONTAIN A DESCRIPTION OF THE METHOD UTILIZED BY THE PERSON WHO ACQUIRED A RIGHT AGAINST THE DRAWER WITH RESPECT TO THE CHECK TO VERIFY THE IDENTITY OF THE DRAWER AND TO RECORD THE EMPLOYEE'S IDENTITY OR AUTHORIZATION TO ACCEPT CHECKS.~~

~~(C) (1) THE PROSECUTION SHALL, UPON WRITTEN DEMAND OF A DEFENDANT FILED IN THE PROCEEDINGS AT LEAST 5 DAYS PRIOR TO A TRIAL IN THE PROCEEDINGS, REQUIRE THE PRESENCE OF THE EMPLOYEE AS A PROSECUTION WITNESS.~~

~~(2) THE PROVISIONS OF THIS SECTION ARE APPLICABLE IN A CRIMINAL PROCEEDING ONLY WHEN A COPY OF THE AFFIDAVIT TO BE INTRODUCED IS MAILED, DELIVERED, OR MADE AVAILABLE TO COUNSEL FOR THE DEFENDANT OR TO THE DEFENDANT PERSONALLY WHEN THE DEFENDANT IS NOT REPRESENTED BY COUNSEL, AT LEAST 10 DAYS PRIOR TO THE INTRODUCTION OF THE AFFIDAVIT AT TRIAL.~~

~~(D) (1) NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE DEFENDANT FROM SUMMONING A WITNESS MENTIONED IN THIS SECTION AS A WITNESS FOR THE DEFENSE.~~

~~(2) NOTHING IN THIS SECTION PRECLUDES THE RIGHT OF ANY PARTY TO INTRODUCE ANY EVIDENCE SUPPORTING OR CONTRADICTING THE EVIDENCE CONTAINED IN OR THE PRESUMPTION RAISED BY THE AFFIDAVIT.~~

~~Article 41 — Governor — Executive and Administrative Departments~~

~~4-905.1.~~

~~(A) EACH PERSON APPOINTED UNDER THIS SUBTITLE AS A SPECIAL POLICEMAN MAY CONDUCT AN INVESTIGATION THAT CONCERNS:~~