

(c) A person convicted of obtaining property or services by bad check when the property or services has a value of less than ~~[\$300]~~ \$500 is guilty of a misdemeanor and shall be fined not more than \$100, or be imprisoned for not more than 18 months, or be both fined and imprisoned in the discretion of the court.

(d) In addition to the penalties provided in this section for conviction of the offense of obtaining property or services by a bad check the court may:

(1) Order restoration of any property which has been the object of the offense and has been recovered from the defendant or another, or which is in the defendant's possession or control, to any person or persons having a property interest therein;

(2) Order restitution of the value of any property or services which has been the object of the offense. The restitution may be ordered to be paid to any person having 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.

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(a) For the purposes of this section:

(1) "Cardholder" means the person or organization named on the face of a credit card to whom or for whose benefit the credit card is issued by an issuer.

(2) "Credit card" means an instrument or device, whether known as a credit card, credit plate, or by any other name, issued by an issuer for the use of the cardholder in obtaining money, goods, services or anything else of value on credit. It includes a debit or access card or other device other than a check, draft or similar paper instrument used by the cardholder to effect a transfer of funds that is initiated through an electronic terminal, telephone, or computer, or magnetic tape ordering, instructing or authorizing a financial institution to debit or credit an account. It also includes a payment device number.

(3) "Issuer" means the business organization or financial institution which issues a credit card or its duly authorized agent.

(4) "Receives" or "receiving" means acquiring possession or control of a credit card.

(5) (i) "Payment device number" means any code, account number, or other means of account access, other than a check, draft, or similar paper instrument, that can be used to obtain money, goods, services, or anything of value, or to initiate a transfer of funds.

(ii) "Payment device number" does not include an encoded or truncated credit card number or payment device number.