

liable to the holder of the check or other instrument under certain circumstances; increasing the maximum amount of the collection fee for certain bad checks that a court may order a defendant to pay under certain circumstances; making a technical correction; and generally relating to collection fees for dishonored or bad checks.

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 143(d)

Annotated Code of Maryland

(1996 Replacement Volume and 2000 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 15-802(b) and (e) and 15-803(a)

Annotated Code of Maryland

(2000 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 – Crimes and Punishments

143.

(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] \$35 for each bad check to the person having a property interest in the property or the person who provided the services.

Article – Commercial Law

15-802.

(b) If a check or other instrument has not been paid within 30 days after the holder has sent a notice of dishonor to the maker or drawer, the maker or drawer of a check or other instrument that has been dishonored ~~may~~ SHALL be liable for: