

the former reference to "he or his principal, as the case may be" for clarity and gender neutrality.

In subsection (c)(2)(i) of this section, the reference to "issuing the check" is substituted for the former reference to "utterance" for clarity.

In subsection (c)(2)(ii) of this section, the phrase "in the case of a representative drawer" is added and the former reference to the principal "of the drawer" is deleted to clarify that, with respect to a check, there is a "principal" only when the check is drawn by a "representative drawer".

In subsection (d)(1) of this section, the reference to the drawer "of the check" is substituted for the former reference to the drawer "thereof" for clarity.

Defined terms: "Check" § 8-101

"Drawer" § 8-101

"Funds" § 8-101

"Issue" § 8-101

"Obtain" § 8-101

"Pass" § 8-101

"Person" § 1-101

"Property" § 8-101

"Representative drawer" § 8-101

"Service" § 8-101

8-104. SAME — PRESUMPTIONS.

(A) PRESUMPTION OF KNOWLEDGE OF INSUFFICIENT FUNDS.

THE DRAWER OR REPRESENTATIVE DRAWER IS PRESUMED TO KNOW THAT THERE ARE INSUFFICIENT FUNDS WHENEVER THE DRAWER OF A CHECK HAS INSUFFICIENT FUNDS WITH THE DRAWEE TO COVER THE CHECK AND OTHER OUTSTANDING CHECKS WHEN ISSUING THE CHECK.

(B) PRESUMPTION OF INTENT THAT CHECK BE DISHONORED.

THE DRAWER OR REPRESENTATIVE DRAWER OF A DISHONORED CHECK IS PRESUMED TO HAVE INTENDED OR BELIEVED THAT THE CHECK WOULD BE DISHONORED ON PRESENTMENT IF:

(1) THE DRAWER HAD NO ACCOUNT WITH THE DRAWEE WHEN ISSUING THE CHECK; OR

(2) (I) WHEN ISSUING THE CHECK, THE DRAWER HAD INSUFFICIENT FUNDS WITH THE DRAWEE TO COVER THE CHECK AND OTHER OUTSTANDING CHECKS;

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

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