

Fifty-fifth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1166

Introduced by

Representative Olson

1 A BILL for an Act to amend and reenact subsection 2 of section 6-08-16 of the North Dakota  
2 Century Code, relating to issuing a check without sufficient funds.

### 3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 6-08-16 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6 2. The person is also liable for collection fees or costs, not in excess of fifteen dollars,  
7 which are recoverable by civil action by the holder of the check, draft, or order or  
8 when criminal action is initiated, the fifteen-dollar costs may be assessed by the  
9 court and are payable to the county where the charge is prosecuted. A collection  
10 agency shall reimburse the original holder of the check, draft, or order any  
11 additional charges assessed by the depository bank of the check, draft, or order  
12 not in excess of two dollars if recovered by the collection agency. A civil penalty is  
13 also recoverable by civil action by the holder of the check, draft, or order. The civil  
14 penalty consists of payment to the holder of the instrument of the lesser of one  
15 hundred dollars or three times the amount of the instrument.