

**SENATE BILL NO. 2183**

Introduced by

Senators Hogue, Fischer, Wardner

Representatives Bellew, Klein, Weisz

1 A BILL for an Act to amend and reenact subdivision d of subsection 1 of section 6-08-16 and  
2 subsections 2 and 3 of section 6-08-16.2 of the North Dakota Century Code, relating to the  
3 penalties for issuing a check without sufficient funds or without an account; and to provide a  
4 penalty.

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

6 **SECTION 1. AMENDMENT.** Subdivision d of subsection 1 of section 6-08-16 of the North  
7 Dakota Century Code is amended and reenacted as follows:

8 d. A class C felony if the amount of insufficient funds or credit is more than five  
9 hundred dollars, or an individual has pled guilty or been found guilty of three or  
10 more violations of this section within five years of ~~willfully~~ issuing an insufficient  
11 funds check, draft, or order.

12 **SECTION 2. AMENDMENT.** Subsections 2 and 3 of section 6-08-16.2 of the North Dakota  
13 Century Code are amended and reenacted as follows:

14 2. A person who, for that person or as agent or representative of another, ~~willfully as-~~  
15 ~~defined in section 12.1-02-02~~ issues any instrument is guilty of a class C felony if that  
16 person has been previously convicted of issuing an instrument without an account  
17 pursuant to section 6-08-16.1, and at the time of issuing the instrument the drawer  
18 does not have an account with the bank or depository on which the instrument is  
19 drawn.

20 3. A person who, for that person or an agent or representative of another, ~~willfully as-~~  
21 ~~defined in section 12.1-02-02~~ issues any instrument is guilty of a class C felony if the  
22 instrument was for at least five hundred dollars or that person, agent, or representative  
23 of another, issues more than one instrument wherein the aggregate total of all  
24 instruments issued exceeds five hundred dollars, and at the time of issuing the

Sixty-second  
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- 1 instrument, the drawer does not have an account with the bank or depository on which
- 2 the instrument is drawn.