

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 7**

Short Title: Amend Worthless Check Program. (Local)

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Sponsors: Representatives Hill; Mitchell, Church, Bell, Justus, and Warwick.

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Referred to: Rules, Calendar, and Operations of the House.

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January 29, 2001

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A PROGRAM ESTABLISHED BY A DISTRICT  
2 ATTORNEY FOR THE COLLECTION OF WORTHLESS CHECK CASES IN  
3 CERTAIN COUNTIES MAY INCLUDE WORTHLESS CHECK OFFENSES  
4 PUNISHABLE AS CLASS I FELONIES AS WELL AS THOSE PUNISHABLE  
5 AS CLASS 2 MISDEMEANORS.  
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S.14-107.2 reads as rewritten:

9 **"§ 14-107.2. Program for the collection of worthless check cases.**

10 (a) A district attorney may establish a program for the collection of worthless  
11 check cases that would, if prosecuted under G.S. 14-107, be punishable as a Class 2  
12 ~~misdemeanor~~, misdemeanor or a Class I felony. The purpose of the program is to collect  
13 worthless checks in a more timely manner, to alleviate the need to prosecute each  
14 worthless check case, and to provide an opportunity for the check passer to avoid  
15 criminal prosecution. In creating the program, the district attorney must establish  
16 criteria for the types of worthless check cases that will be eligible for collection under  
17 the program. If the check passer participates in the program by paying the fee under  
18 G.S. 7A-308(c) and providing restitution to the check taker for (i) the amount of the  
19 check or draft, (ii) any service charges imposed on the check taker by a bank or  
20 depository for processing the dishonored check, and (iii) any processing fees imposed  
21 by the check taker pursuant to G.S. 25-3-512, then the district attorney will not  
22 prosecute the worthless check case under G.S. 14-107. The Administrative Office of the  
23 Courts must establish procedures for remitting the fee and providing restitution to the  
24 check taker. For the purposes of this section, the terms "check passer" and "check taker"  
25 have the same meanings as defined in G.S. 14-107.1.

26 (b) This act applies only to Brunswick, Bladen, Columbus, Cumberland,  
27 Durham, Edgecombe, Nash, New Hanover, Onslow, Pender, Rockingham, Wake, and  
28 Wilson Counties. "

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**SECTION 2.** This act is effective when it becomes law.