

hbd-032

Bill No. CS for SB 1260, 1st Eng.

Amendment No. (for drafter's use only)

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
|---|---------------|----------------|--------------|
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ORIGINAL STAMP BELOW

11 Representative(s) Green offered the following:

13 **Amendment (with title amendment)**

14 On page 2, line 22,

16 insert:

17 Section 1. Subsection (3) of section 68.065, Florida
18 Statutes, is amended to read:

19 68.065 Actions to collect worthless checks, drafts, or
20 orders of payment; attorney's fees and collection costs.--

21 (3) Before recovery under subsection (1) ~~or subsection~~
22 ~~(2)~~ may be claimed, a written demand shall be delivered by
23 certified or registered mail, evidenced by return receipt, to
24 the maker or drawer of the check, draft, or order of payment.
25 The form of such notice shall be substantially as follows:

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27 "You are hereby notified that a check numbered in
28 the face amount of \$.... issued by you on ...(date)..., drawn
29 upon ...(name of bank)..., and payable to, has been
30 dishonored. Pursuant to Florida law, you have 30 days from
31 receipt of this notice to tender payment in cash of the full

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1 amount of the check plus a service charge of \$25, if the face
 2 value does not exceed \$50, \$30, if the face value exceeds \$50
 3 but does not exceed \$300, \$40, if the face value exceeds \$300,
 4 or 5 percent of the face amount of the check, whichever is
 5 greater, the total amount due being \$.... and cents.
 6 Unless this amount is paid in full within the 30-day period,
 7 the holder of the check or instrument may file a civil action
 8 against you for three times the amount of the check, but in no
 9 case less than \$50, in addition to the payment of the check
 10 plus any court costs, reasonable attorney fees, and any bank
 11 fees incurred by the payee in taking the action."

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=====T I T L E A M E N D M E N T=====

15 And the title is amended as follows:

16 On page 1, line 2 after the semicolon,

17

18 insert:

19 amending s. 68.065, F.S.; removing a
 20 requirement that a written demand be delivered
 21 as a requirement for certain recoveries on
 22 worthless checks, drafts, or orders of payment;

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