

Bill No. CS for SB 1896

Amendment No.      Barcode 022602

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Constantine moved the following amendment:

**Senate Amendment (with title amendment)**

On page 10, between lines 11 and 12,

insert:

Section 10. Subsection (3) of section 68.065, Florida Statutes, is amended to read:

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

(3) Before recovery under subsection (1) ~~or subsection (2)~~ may be claimed, a written demand shall be delivered by certified or registered mail, evidenced by return receipt, to the maker or drawer of the check, draft, or order of payment.

The form of such notice shall be substantially as follows:

"You are hereby notified that a check numbered .... in the face amount of \$.... issued by you on ...(date)..., drawn upon ...(name of bank)..., and payable to ....., has been dishonored. Pursuant to Florida law, you have 30 days from 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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13 (Redesignate subsequent sections.)

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

17 And the title is amended as follows:

18 On page 2, line 1, after the semicolon

19

20 insert:

21 amending s. 68.065, F.S.; amending notice  
22 requirements relating to actions to collect  
23 worthless checks, drafts, or orders of payment;

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