

Amendment No. ____ (for drafter's use only)

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

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11 Representative(s) Atwater offered the following:

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13 **Amendment (with title amendment)**

14 On page 2, between lines 5 and 6, of the bill

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

18 68.065 Actions to collect worthless checks, drafts, or
19 orders of payment; attorney's fees and collection costs.--

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

24 The form of such notice shall be substantially as follows:

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26 "You are hereby notified that a check numbered in
27 the face amount of \$.... issued by you on ...(date)..., drawn
28 upon ...(name of bank)..., and payable to, has been
29 dishonored. Pursuant to Florida law, you have 30 days from
30 receipt of this notice to tender payment in cash of the full
31 amount of the check plus a service charge of \$25, if the face

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

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

14 And the title is amended as follows:

15 On page 1, line 3,
 16 remove from the title of the bill: all of said lines

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18 and insert in lieu thereof:

19 lending; amending s. 68.065, F.S.; deleting
 20 requirement for written notification prior to
 21 charging a service charge on a worthless check
 22 draft, or order of payment; amending s.
 23 494.001, F.S.; defining

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