

By: Representatives Compretta, Peranich

To: Judiciary B

HOUSE BILL NO. 1006

1 AN ACT TO AMEND SECTION 11-7-12, MISSISSIPPI CODE OF 1972, TO
2 REVISE CIVIL PENALTIES RECOVERABLE FOR BAD CHECKS; AND FOR RELATED
3 PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 11-7-12, Mississippi Code of 1972, is
6 amended as follows:

7 11-7-12. In any civil action founded on a check, draft or
8 order made, drawn, issued, uttered or delivered in violation of
9 Section 97-19-55, the plaintiff, if he be a payee or endorser,
10 shall be entitled to recover, in addition to the face amount of
11 the check, draft or order, damages in the following amount:

12 (a) If the amount of the check, draft or order is up to
13 and including Two Hundred Dollars (\$200.00), then the additional
14 damages shall be one hundred percent (100%) of the amount of the
15 check, draft or order;

16 (b) If the amount of the check, draft or order is above
17 Two Hundred Dollars (\$200.00) and up to and including Five Hundred
18 Dollars (\$500.00), then the additional damages shall be fifty
19 percent (50%) of the amount of the check, draft or order, not to
20 exceed Fifty Dollars (\$50.00), and not to be less than Twenty-five
21 Dollars (\$25.00); and

22 (c) If the amount of the check, draft or order is above
23 Five Hundred Dollars (\$500.00), then the additional damages shall
24 be twenty-five percent (25%) of the amount of the check, draft or
25 order.

26 SECTION 2. This act shall take effect and be in force from

27 and after July 1, 1999.