

BINGEN MUNICIPAL CODE

Chapter 9.12

UNLAWFUL ISSUANCE OF CHECKS AND DRAFTS

Sections:

- 9.12.010 Offense designated.
- 9.12.020 Felony when.
- 9.12.030 Gross misdemeanor when-Penalties.
- 9.12.040 State provisions adopted.

9.12.010 Offense designated.

Any person who shall with intent to defraud, make, or draw, or utter, or deliver to another person any check, or draft, on a bank or other depository for the payment of money, knowing at the time of such drawing, or delivery, that he has not sufficient funds in, or credit with said bank or other depository, to meet said check or draft, in full upon its presentation, shall be guilty of unlawful issuance of bank check. The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or other depository for the payment of such check or draft, and the uttering or delivering of such a check or draft to another person without such fund or credit to meet the same be prima facie evidence of an intent to defraud. (Ord. 308 §1, 1982).

9.12.020 Felony when.

Unlawful issuance of a bank check in an amount greater than two hundred and fifty dollars is a class C felony. (Ord. 308 §2, 1982).

9.12.030 Gross misdemeanor when-Penalties.

Unlawful issuance of a bank check in an amount of two hundred and fifty dollars or less is a gross misdemeanor, and shall be punished as follows:

- A. The court shall order the defendant to make full restitution;
- B. The defendant need not be imprisoned, but the court shall impose a minimum fine of five hundred dollars. Of the fine imposed, at least fifty dollars shall not be suspended or deferred. Upon conviction for a second offense within any twelve-month period, the court may suspend or defer only that portion of the fine which is in excess of five hundred dollars. (Ord. 308 §3, 1982).

9.12.040 State provisions adopted.

RCW 9A.56.060 shall be adopted by reference. (Ord. 308 §4, 1982).