

Senate Bill 104

By: Senators Tanksley of the 32nd, Thompson of the 33rd, Balfour of the 9th and Kemp of the 3rd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-9-20 of the Official Code of Georgia Annotated, relating to
2 deposit account fraud, so as to increase the maximum service charge; to provide for related
3 matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 16-9-20 of the Official Code of Georgia Annotated, relating to deposit account
7 fraud, is amended by striking subsection (j) and inserting in lieu thereof the following:

8 "(j) For purposes of this Code section, no service charge or bad instrument charge shall
9 exceed ~~\$25.00~~ \$30.00 or 5 percent of the face amount of the instrument, whichever is
10 greater, except that the holder of the instrument may also charge the maker an additional
11 fee in an amount equal to that charged to the holder by the bank or financial institution as
12 a result of the instrument not being honored."

13 style="text-align:center">**SECTION 2.**

14 All laws and parts of laws in conflict with this Act are repealed.