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AN ACT

relating to the returned check fee collected by a county clerk.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 3.506(a), Business & Commerce Code, is amended to read as follows:

(a) On return of a check to the holder following dishonor of the check by a payor, the holder, the holder's assignee, agent, or representative, or any other person retained by the holder to seek collection of the face value of the dishonored check may charge the drawer or endorser a reasonable processing fee of not more than \$30 [~~\$25~~].

SECTION 2. Section 118.011(b), Local Government Code, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

(1) Returned Check (Sec. 118.0215) not less than \$15 or more than \$30 [~~\$25~~]

(2) Records Management and Preservation Fee (Sec. 118.0216) not more than \$5

(3) Mental Health Background Check for License to Carry a Concealed Weapon (Sec. 118.0217) not more than \$2

SECTION 3. The changes in law made by this Act apply only to a check issued on or after the effective date of this Act. A check issued before the effective date of this Act is governed by the law

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1 in effect at the time the check was issued, and the former law is
2 continued in effect for that purpose.

3 SECTION 4. This Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 249 was passed by the House on May 6, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 249 on May 30, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 249 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor