

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 268

Introduced by Howard, 9.

Read first time January 11, 2011

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to banking and finance; to amend section
2 8-101.01, Revised Statutes Cumulative Supplement, 2010;
3 to require return to the payee of insufficient funds
4 checks, drafts, assignments of funds, and similar signed
5 orders as prescribed; to provide powers and duties for
6 the Department of Banking and Finance; to provide for a
7 civil penalty; to harmonize provisions; and to repeal the
8 original section.
9 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 8-101.01, Revised Statutes Cumulative
2 Supplement, 2010, is amended to read:

3 8-101.01 Sections 8-101 to 8-1,140 and section 2 of this
4 act shall be known and may be cited as the Nebraska Banking Act.

5 Sec. 2. (1) When a check, draft, assignment of funds, or
6 similar signed order is deposited in a financial institution by the
7 payee of the instrument and subsequently refused by the financial
8 institution of the drawer of the instrument for any reason, the
9 financial institutions of the drawer and payee shall cause the
10 instrument to be returned to the payee. The instrument shall be
11 returned in its entirety and in such a condition that all information
12 on the instrument identifying the drawer is legible.

13 (2) This section shall be enforced by the Department of
14 Banking and Finance. Any financial institution violating this section
15 shall be subject to a civil penalty of five hundred dollars.

16 Sec. 3. Original section 8-101.01, Revised Statutes
17 Cumulative Supplement, 2010, is repealed.