**A** **BILL**

TO AMEND SECTION 17‑22‑710 OF THE 1976 CODE, RELATING TO WORTHLESS CHECK UNITS, TO PROVIDE FOR THE MANDATORY COLLECTION OF FEES AND ADMINISTRATIVE COSTS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 17‑22‑710 of the 1976 Code is amended to read:

“Section 17‑22‑710. (A) A circuit solicitor may establish, under his direction and control and with the agreement of the county governing body, a Worthless Check Unit for the purpose of processing worthless checks and to assist the victims of these cases in the collection of restitution. The fee schedule is:

(1) fifty dollars for checks up to five hundred dollars;

(2) one hundred dollars for checks five hundred one dollars to one thousand dollars; and

(3) one hundred fifty dollars for checks one thousand one dollars or greater.

(B) In addition to the fee schedule as provided in subsection (A), ~~An~~ an amount equal to the allowable administrative costs contained in Section 34‑11‑70(c) must be added to the fee.

(C) All fees collected by the Worthless Check Unit in accordance with the fee schedule promulgated pursuant to this section must be deposited into a fund known as the Worthless Check Fund maintained by the county treasurers of the counties comprising the circuit, other than court costs and an amount equal to the allowable administrative costs contained in Section 34‑11‑70(c) which must be remitted to the treasurer for deposit in the county general fund.

(D) All funds collected and deposited into this fund must be applied first to defray the costs of operating the Worthless Check Unit with the balance to be used by the solicitor to pay the normal operating expenses of his office.

(1) Withdrawals from this account may be made only at the request of the solicitor.

(2) The funds generated pursuant to this section may not be used to reduce the amount budgeted by the county to the solicitor’s office.

(E) The solicitor shall maintain an account for the purpose of collecting and disbursing restitution funds collected for the benefit of victims’ worthless checks. The Worthless Check Unit shall disburse to the victim all restitution collected as a result of the original complaint filed.

(F) If the victim cannot be located after a reasonable time and diligent efforts the restitution due the victim must be transferred to the general fund of the county.”

SECTION 2. This act takes effect upon approval by the Governor.

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