

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 743

Short Title: No Delivery of Unsolicited Checks.

(Public)

Sponsors: Senators Carter; and Forrester.

Referred to: Judiciary I.

April 23, 1991

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT ANY PERSON ENGAGED IN COMMERCE FROM
DELIVERING UNSOLICITED CHECKS WHICH, IF CASHED BY THE
RECIPIENT, CREATE AN OBLIGATION TO THE SENDER.

The General Assembly of North Carolina enacts:

Section 1. Article 1 of Chapter 75 of the General Statutes is amended by
adding a new section to read:

"§ 75-36. Unsolicited checks.

(a) No person engaged in commerce shall issue or in any manner deliver a
negotiable instrument to any person as an unsolicited inducement to enter into a contract
when endorsement by the recipient serves as the recipient's consent.

(b) Any negotiable instrument issued in violation of subsection (a) of this section
shall be deemed a gift to the recipient, who may endorse it and cash it without any
obligation to the sender."

Sec. 2. This act becomes effective September 1, 1991.