



CHAPTER 14

ARTICLE 19 - FALSE PRETENSES AND CHEATS

N.C.G.S. § 14-107.

Worthless checks; multiple presentment of checks.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2013-360, s. 18B.14(b) — twenty-eighth act in the lineage	21 September 2026, 04:15 UTC	bf0c186d239e1c1fdca135a - 1c3fb8c53df882a70712f7dd - ef64062db75b04ff

§ 14-107(a)

It is unlawful for any person, firm or corporation, to draw, make, utter or issue and deliver to another, any check or draft on any bank or depository, for the payment of money or its equivalent, knowing at the time of the making, drawing, uttering, issuing and delivering the check or draft, that the maker or drawer of it:

- (1) Has not sufficient funds on deposit in or credit with the bank or depository with which to pay the check or draft upon presentation, or
- (2) Has previously presented the check or draft for the payment of money or its equivalent.

§ 14-107(b)

It is unlawful for any person, firm or corporation to solicit or to aid and abet any other person, firm or corporation to draw, make, utter or issue and deliver to any person, firm or corporation, any check or draft on any bank or depository for the payment of money or its equivalent, being informed, knowing or having reasonable grounds for believing at the time of the soliciting or the aiding and abetting that the maker or the drawer of the check or draft:

- (1) Has not sufficient funds on deposit in, or credit with, the bank or depository with which to pay the check or draft upon presentation, or
- (2) Has previously presented the check or draft for the payment of money or its equivalent.

§ 14-107(c)

The word "credit" as used in this section means an arrangement or understanding with the bank or depository for the payment of a check or draft.

§ 14-107(d)

CLASS I FELONY

A violation of this section is a Class I felony if the amount of the check or draft is more than two thousand dollars (\$2,000). If the amount of the check or draft is two thousand dollars (\$2,000) or less, a violation of this section is a misdemeanor punishable as follows:

- (1) Except as provided in subdivision (3) or (4) of this subsection, the person is guilty of a Class 3 misdemeanor. Provided, however, if the person has been convicted three times of violating this section, the person shall on the fourth and all subsequent convictions (i) be punished as for a Class 1 misdemeanor and (ii) be ordered, as a condition of probation, to refrain from maintaining a checking account or making or uttering a check for three years.
- (2) Repealed by Session Laws 1999-408, s. 1, effective December 1, 1999.
- (3) If the check or draft is drawn upon a nonexistent account, the person is guilty of a Class 1 misdemeanor.
- (4) If the check or draft is drawn upon an account that has been closed by the drawer, or that the drawer knows to have been closed by the bank or depository, prior to time the check is drawn, the person is guilty of a Class 1 misdemeanor.

§ 14-107(e)

In deciding to impose any sentence other than an active prison sentence, the sentencing judge shall consider and may require, in accordance with the provisions of G.S. 15A-1343, restitution to the victim for (i) the amount of the check or draft, (ii) any service charges imposed on the payee by a bank or depository for processing the dishonored check, and (iii) any processing fees imposed by the payee pursuant to G.S. 25-3-506, and each prosecuting witness (whether or not under subpoena) shall be entitled to a witness fee as provided by G.S. 7A-314 which shall be taxed as part of the cost and assessed to the defendant.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
28 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1925		1969	2013
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT	
Nº	YEAR	ACT	CHARACTER
01	1925	c. 14	ENACTED
02	1927	c. 62	AMENDED
03	1929	c. 273, ss. 1, 2	AMENDED
04	1931	cc. 63, 138	AMENDED
05	1933	cc. 43, 64, 93, 170, 265, 362, 458	AMENDED
06	1939	c. 346	AMENDED
07	1949	cc. 183, 332	AMENDED
08	1951	c. 356	AMENDED
09	1961	c. 89	AMENDED
10	1963	cc. 73, 547, 870	AMENDED
11	1967	c. 49, s. 1	AMENDED
12	1967	c. 661, s. 1	AMENDED
13	1969	c. 157	AMENDED
14	1969	c. 876, s. 1	AMENDED
15	1969	cc. 909, 1014	AMENDED
16	1969	c. 1224, s. 10	AMENDED
17	1971	c. 243, s. 1	AMENDED
18	1977	c. 885	AMENDED
19	1979	c. 837	AMENDED
20	1983	c. 741	AMENDED
21	1991	c. 523, s. 1	AMENDED
22	1993	c. 374, s. 2	AMENDED
23	1993	c. 539, ss. 45, 1182	AMENDED
24	1994	Ex. Sess., c. 24, s. 14(c)	AMENDED
25	1994	1995 (Reg. Sess., 1996), c. 742, s. 11	AMENDED
26	1999	S.L. 1999-408, s. 1	AMENDED
27	2013	S.L. 2013-244, s. 4	AMENDED
28	2013	S.L. 2013-360, s. 18B.14(b)	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 15A-1343	(e)	"in accordance with the provisions of"
G.S. 25-3	(e)	"imposed by the payee pursuant to"
G.S. 7A-314	(e)	"a witness fee as provided by"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 14-107 (2013).

PINPOINT

N.C. Gen. Stat. § 14-107(a) (2013).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1925, c. 14; 1927, c. 62; 1929, c. 273, ss. 1, 2; 1931, cc. 63, 138; 1933, cc. 43, 64, 93, 170, 265, 362, 458; 1939, c. 346; 1949, cc. 183, 332; 1951, c. 356; 1961, c. 89; 1963, cc. 73, 547, 870; 1967, c. 49, s. 1; c. 661, s. 1; 1969, c. 157; c. 876, s. 1; cc. 909, 1014; c. 1224, s. 10; 1971, c. 243, s. 1; 1977, c. 885; 1979, c. 837; 1983, c. 741; 1991, c. 523, s. 1; 1993, c. 374, s. 2; c. 539, ss. 45, 1182; 1994, Ex. Sess., c. 24, s. 14(c); 1995 (Reg. Sess., 1996), c. 742, s. 11; 1999-408, s. 1; 2013-244, s. 4; 2013-360, s. 18B.14(b).)

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