

chapter 111, Laws of 1967 ex. sess. and to chapter 71.24 RCW; and repealing section 17, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.170.

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

NEW SECTION. Section 1. There is added to chapter 111, Laws of 1967 ex. sess. and to chapter 71.24 RCW a new section to read as follows:

The department of institutions in making payments of state funds in accordance with the provisions of chapter 71.24 RCW, to counties for the support of community mental health programs which were financially supported by the state prior to July 1, 1967 shall pay to the counties not less than the amounts paid by the state to such pre-existing programs immediately prior to July 1, 1967: PROVIDED, That in the event appropriated funds to the department of institutions for the support of community mental health programs are insufficient to maintain community mental health programs of eligible counties at the same level prevailing during the previous biennium, then the department of institutions shall make pro rata reductions in the payment of state funds to all counties.

NEW SECTION. Sec. 2. Section 17, chapter 111, Laws of 1967 ex. sess. and RCW 71.24.170 are each hereby repealed.

Passed the House February 27, 1969  
Passed the Senate March 10, 1969  
Approved by the Governor March 24, 1969  
Filed in office of Secretary of State March 24, 1969

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CHAPTER 62  
[House Bill No. 196]  
UNIFORM COMMERCIAL CODE--  
DISHONORED CHECKS

AN ACT Relating to dishonored checks; amending section 1, chapter 23, Laws of 1967 extraordinary session and RCW 62A.3-515; adding new sections to chapter 157, Laws of 1965 extraordinary session and to Title 62A RCW; and repealing section 1, chapter 53, Laws of 1965 extraordinary session and RCW 62.01.300.

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

Section 1. Section 1, chapter 23, Laws of 1967 extraordinary session and RCW 62A.3-515 are each amended to read as follows:

CHECKS DISHONORED BY NONACCEPTANCE OR NONPAYMENT; LIABILITY FOR INTEREST; RATE; COLLECTION COSTS AND ATTORNEYS FEES. Whenever a check as defined in RCW 62A.3-104 has been dishonored by nonacceptance or nonpayment and has not been paid within fifteen days and after ~~((written-notice-by))~~ the holder of such check ~~((to-the))~~ sends such notice of dishonor as provided by section 2 of this 1969 amendatory act to the drawer at his last known address ~~((of-the-drawer that-such-check-has-been-dishonored-and))~~ , then if the instrument does not provide for the payment of interest, or collection costs and attorneys fees, the drawer of such instrument shall also be liable for payment of interest at the rate of twelve percent per annum from the date of dishonor and cost of collection not to exceed twenty dollars or the face amount of the check, whichever is the lesser. In addition, in the event of court action on the check the court, after such notice and the expiration of said fifteen days, shall award a reasonable attorneys fee as part of the damages payable to the holder of the check. This section shall not apply to any instrument which has been dishonored by reason of any justifiable stop payment order.

NEW SECTION. Sec. 2. There is added to chapter 157, Laws of 1965 extraordinary session and to Title 62A RCW a new section to read as follows:

STATUTORY FORM FOR NOTICE OF DISHONOR. The notice of dishonor shall be sent by certified mail to the drawer at his last known address, and said notice shall be substantially in the following form:

NOTICE OF DISHONOR OF CHECK

A check drawn by you and made payable by you to ..... in the amount of ..... has not been accepted for payment by ....., which is the drawee bank designated on your check. This check is dated ....., and it is numbered, No. .... .

You are CAUTIONED that unless you pay the amount of this check

within fifteen days after the date this letter is postmarked, you may very well have to pay the following additional amounts:

- (1) costs of collecting the amount of the check, including an attorney's fee which will be set by the court; and
- (2) interest on the amount of the check which shall accrue at the rate of twelve percent per annum from the date of dishonor.

You are advised to make your payment to ..... at the following address: .....

NEW SECTION. Sec. 3. There is added to chapter 157, Laws of 1965 extraordinary session and to Title 62A RCW a new section to read as follows:

CONSEQUENCES FOR FAILING TO COMPLY WITH REQUIREMENTS. No interest, collection costs and attorneys' fees shall be recovered on any dishonored check under the provisions of section 1 of this 1969 amendatory act where the holder of such check or any agent, employee or assign of the holder has demanded:

- (1) interest or collection costs in excess of that provided by section 1 of this 1969 amendatory act; or
- (2) interest or collection costs prior to the expiration of fifteen days after the certified mailing of notice of dishonor, as provided by sections 1 and 2 of this 1969 amendatory act; or
- (3) attorneys' fees either without having such fees set by the court, or prior to the expiration of fifteen days after the certified mailing of notice of dishonor, as provided by sections 1 and 2 of this 1969 amendatory act.

NEW SECTION. Sec. 4. Section 1, chapter 53, Laws of 1965 extraordinary session and RCW 62.01.300 are each repealed.

Passed the House February 18, 1969  
Passed the Senate March 11, 1969  
Approved by the Governor March 24, 1969  
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CHAPTER 63  
[House Bill NO. 217]  
WASHINGTON STATE SEED ACT

AN ACT Relating to seeds; repealing sections 15.48.010 through 15.48-