

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-27.1 of the Code of Virginia, relating to checks; stop payment; civil*  
3 *actions.*

4 [H 1683]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 8.01-27.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 8.01-27.1. Additional recovery in certain civil actions concerning checks.

9 A. Except as otherwise provided in Chapter 13 (§ 55-217 et seq.) or Chapter 13.2 (§ 55-248.2 et  
10 seq.) of Title 55, in any civil claim or action made or brought against the drawer of a check, draft or  
11 order, payment of which has been refused by the drawee depository because of lack of funds in or credit  
12 with such drawee depository, *or because such check, draft or order was returned because of a*  
13 *stop-payment order placed in bad faith on the check, draft or order by the drawer*, the holder or his  
14 agent shall be entitled to claim, in addition to the face amount of the check (i) legal interest from the  
15 date of the check, (ii) the protest or bad check return fee, if any, charged to the holder by his bank or  
16 other depository, (iii) a processing charge of \$50, and (iv) reasonable attorney's fees if awarded by the  
17 court.

18 B. Except as otherwise provided in Chapter 13 (§ 55-217 et seq.) or Chapter 13.2 (§ 55-248.2 et seq.)  
19 of Title 55, any holder of a check, draft or order, payment of which has been refused by the drawee for  
20 insufficient funds or credit *or because of a stop-payment order placed in bad faith*, who charges the  
21 drawer amounts in excess of those authorized in subsection A on account of payment being so refused  
22 shall, upon demand, be liable to the drawer for the lesser of (i) \$50 plus the excess of the authorized  
23 amount or (ii) twice the amount charged in excess of the authorized amount.

ENROLLED

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