

STATEMENTS OF POLICY

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

DEPARTMENT OF STATE

[49 PA. CODE CH. 63]

Returned Check Fee Policy

The Department of State (Department) adopts the statement of policy to read as set forth in Annex A announcing the policy regarding the processing fee to which an individual or entity will be subject when issuing a check that is not honored by the institution on which it is drawn.

The purpose of the statement of policy is to provide notice of and implement a uniform policy regarding the processing fee that will be assessed against an individual or entity that issues a check that is returned for insufficient funds by the institution on which it is drawn.

An individual or entity that issues a check to the Department or to a bureau, commission or board under its jurisdiction would benefit from a more uniform returned check fee policy, as well as notice of the policy. The Department would also benefit in that assessment of the returned check fee would help to offset the costs that the Department regularly incurs to ensure collection of checks that are returned for insufficient funds. According to the Department's Budget and Financial Management Office, the estimated average number of checks that are returned for insufficient funds each year for the Bureau of Professional and Occupational Affairs is approximately 850, an estimated 47 returned checks for the Bureau of Commissions, Elections and Legislation and approximately 15 returned checks for the Bureau of Charitable Organizations.

This statement of policy is not intended to circumscribe any administrative discretion given to the Department under any law or rule or regulation.

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

KIM PIZZINGRILLI,
Secretary of the Commonwealth

Fiscal Note: 16-28. No fiscal impact; (8) recommends adoption.

(Editor's Note: Title 49 of the *Pennsylvania Code* is amended by adding a statement of policy in § 63.1 (relating to returned checks) to read as set forth in Annex A.)

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart C. SECRETARY OF THE COMMONWEALTH

CHAPTER 63. RETURNED CHECK FEE—STATEMENT OF POLICY

Sec.

63.1. Returned checks.

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Unless otherwise indicated in statute or regulation, an individual or entity that issues a check to the Department or any bureau, commission or board under its jurisdiction that is not honored by the institution on which it is drawn will be charged a \$20 processing fee.

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