

1975 WL 29526 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 24, 1975

\*1 Mr. Steve Partridge  
200 Overcreek Road  
Rt. 6  
Greenville, South Carolina 29607

Dear Mr. Partridge:

Your letter of February 10, 1975, has been referred to me for reply.

Enclosed please find a copy of Sections 8-176 et. seq. of the 1962 Code of Laws of South Carolina (as amended). Section 8-176 specifically defines what is a 'bad' or 'worthless' check under the laws of South Carolina. Reference should be made to Section 8-178 to determine the penalty for violation of a particular provision. Please note that there are different penalties depending upon the violation.

Let me direct your attention specifically to Section 8-178.1 with respect of prosecution in order to collect the amount of the check. In addition to the possible criminal penalties of either a fine or imprisonment, such prosecution does not relieve the person issuing the check from liability in the instrument. Thus, not only may a violator be subjected to criminal prosecution but he may also be held liable for the amount of the check to whomever the check was issued.

I regret we do not have any statistical information readily available to send, but I hope the enclosed statutes will be helpful in solving your problem.

Sincerely yours,

H. Michael Bowers  
Law Clerk

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