

**155-2-4-.12      Prohibited Acts – Deferred Presentment Services Act**

(1) No licensee may threaten criminal prosecution for bad checks written in connection with a deferred presentment loan unless the check is returned due to an account closed prior to the day of the transaction. The licensee may charge only one (1) NSF fee on a returned check and the check must be presented to the depository institution before the imposition of the single NSF fee. Licensees may not split a DP transaction into two agreements on the same day in order to collect two NSF fees.

(2) Licensees may not file legal claims to collect delinquent deferred presentment transactions, without first offering the customer in writing an extended repayment plan of four equal monthly payments at no additional cost.

(3) No licensee shall charge any fee authorized under Section 8-8-15 unless the check has actually been presented for payment to the financial institution.

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**Statutory Authority:** Code of Alabama 1975, §5-18A-10, §5-18A-12, and §5-18A-13  
**History:** Effective October 1, 2013