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**HOUSE FLOOR AMENDMENTS**

2024 Regular Session

Amendments proposed by Representative Muscarello to Engrossed House Bill No. 232 by Representative Muscarello

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before ", relative to" change "R.S. 10:3-416(b), 3-  
3 417(b), 4-207(c), and 4-208(b)" to "R.S. 10:3-416(b) and (c), 3-417(b), (c), and (e), 4-207(c)  
4 and (d), and 4-208(b),(c), and (e)"

5 AMENDMENT NO. 2

6 On page 1, line 7, change "R.S. 10:3-416(b), 3-417(b), 4-207(c), and 4-208(b)" to "R.S.  
7 10:3-416(b) and (c), 3-417(b), (c), and (e), 4-207(c) and (d), and 4-208(b),(c), and (e)"

8 AMENDMENT NO. 3

9 On page 1, line 11, after "Subsection (a)" and before "are" insert "of this Section"

10 AMENDMENT NO. 4

11 On page 1, between lines 19 and 20, insert the following:

12                   "(c) The warranties stated in Subsection (a) of this Section cannot be  
13                   disclaimed with respect to checks. Unless notice of a claim for breach of warranty  
14                   is given to the warrantor within 30 days after the claimant has reason to know of the  
15                   breach and the identity of the warrantor, the liability of the warrantor under  
16                   Subsection (b) of this Section is discharged to the extent of any loss caused by the  
17                   delay in giving notice of the claim."

18 AMENDMENT NO. 5

19 On page 2, between lines 16 and 17, insert the following:

20                   "(c) If a drawee asserts a claim for breach of warranty under Subsection (a)  
21                   of this Section based on an unauthorized indorsement of the draft or an alteration of  
22                   the draft, the warrantor may defend by proving that the indorsement is effective  
23                   under R.S. 10:3-404 or 10:3-405 or the drawer is precluded under R.S. 10:3-406 or  
24                   10:4-406 from asserting against the drawee the unauthorized indorsement or  
25                   alteration.

\*       \*       \*

27                   (e) The warranties stated in Subsections (a) and (d) of this Section cannot be  
28                   disclaimed with respect to checks. Unless notice of a claim for breach of warranty  
29                   is given to the warrantor within 30 days after the claimant has reason to know of the  
30                   breach and the identity of the warrantor, the liability of the warrantor under  
31                   Subsection (b) or (d) of this Section is discharged to the extent of any loss caused by  
32                   the delay in giving notice of the claim."

33 AMENDMENT NO. 6

34 On page 2, line 20 after "Subsection (a)" and before "are" insert "of this Section"

1 AMENDMENT NO. 7

2 On page 2, between lines 28 and 29, insert the following:

3 "(d) The warranties stated in Subsection (a) of this Section cannot be  
4 disclaimed with respect to checks. Unless notice of a claim for breach of warranty  
5 is given to the warrantor within 30 days after the claimant has reason to know of the  
6 breach and the identity of the warrantor, the warrantor is discharged to the extent of  
7 any loss caused by the delay in giving notice of the claim."

8 AMENDMENT NO. 8

9 On page 3, between lines 16 and 17, insert the following:

10 "(c) If a drawee asserts a claim for breach of warranty under Subsection (a)  
11 of this Section based on an unauthorized indorsement of the draft or an alteration of  
12 the draft, the warrantor may defend by proving that the indorsement is effective  
13 under R.S. 10:3-404 or 10:3-405 or the drawer is precluded under R.S. 10:3-406 or  
14 10:4-406 from asserting against the drawee the unauthorized indorsement or  
15 alteration.

16 \* \* \*

17 (e) The warranties stated in Subsections (a) and (d) of this Section cannot be  
18 disclaimed with respect to checks. Unless notice of a claim for breach of warranty  
19 is given to the warrantor within 30 days after the claimant has reason to know of the  
20 breach and the identity of the warrantor, the warrantor is discharged to the extent of  
21 any loss caused by the delay in giving notice of the claim."