

4-7-14 Prohibited acts.

- (1) A person licensed under this chapter may not:
 - (a) make false charges incident to the sale of livestock;
 - (b) wilfully fail to comply with the requirements of Section 4-7-9 or 4-7-10;
 - (c) fail to file a schedule of commissions and charges;
 - (d) reassign livestock without the consent of the producer-consignor for the purpose of charging more than one commission;
 - (e) make any false statement to the detriment of the producer regarding current market conditions for livestock or about the condition or quantity of the livestock consigned for the account of the producer;
 - (f) engage in fraud or misrepresentation in the procurement or attempted procurement of a license; or
 - (g) act as a dealer or agent and, with intent to defraud, make, draw, utter, or deliver any check, draft, or order for the payment of money from any bank or other depository to the owner for the purchase price of livestock, when at the time of the making, drawing, uttering, or delivery the maker or drawer does not have sufficient funds in or credit with the bank or other depository for the payment of the check, draft, or order in full upon its presentation.
- (2)
 - (a) The making, drawing, uttering, or delivery of a check, draft, or order in the circumstances specified in this section shall be evidence of an intent to defraud.
 - (b) As used in this section, "credit" means an arrangement or understanding with the bank or depository for the payment of the check, draft, or order.

Amended by Chapter 383, 2011 General Session