

OFFICE OF THE COUNTY ATTORNEY ARANSAS COUNTY, TEXAS



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HOT CHECKS IN ARANSAS COUNTY

Purpose:

The purpose of the Hot Check Division is to prosecute those individuals who commit theft by using a worthless check. *It is not a collection agency.* However, we will do everything legally possible to collect restitution. **Our services are free.** We want to help your business succeed, and prevention of this crime is our ultimate goal.

Goal:

Our immediate goal is to bring about a conviction for the offense of theft by check and gain restitution for the victim. However, restitution cannot be obtained in every case. *If you expect restitution in every case, you are being unrealistic and will be disappointed.*

Processing fee:

The law allows a prosecutor's office the collection of a processing fee up to \$25.00 per hot check, it increased to \$30.00 for checks written after September 1, 2003. There is no requirement that this amount be posted. (Business & Commerce Code Sec. 3.506)

County Attorney collection fee:

The law allows a prosecutor's office to collect a fee based on the amount of the check.

This fee is over and above the check amount and the processing fee.

(Example: For a \$100.00 hot check, the check writer would pay \$100.00 for the check, \$30.00 for the processing fee and \$15.00 for the County Attorney fee for a total of \$145.00.

(Code of Criminal Procedure Art. 102.007)