

## What is a Cold Check?

KRS 514.040

### THEFT BY DECEPTION

A person is guilty of theft by deception when the person obtains property or services of another by deception with intent to deprive the person thereof. A person deceives when the person intentionally issues or passes a check or similar sight order for the payment of money, knowing that it will not be honored by the drawee.



In general, a cold check is any that meets one or more of the following criteria:

- *The check was represented to be good at the time it was issued by the maker.*
- *The check was not honored by the bank for reason other than stop payment.*

## How Does the Program Work?

If someone writes a cold check to you or your business, simply bring it to the Campbell County Attorney's Office, located at 319 York Street, Newport, KY. Our office will send a standard courtesy letter and deposit slip to the check writer, requiring that they make good on the check and associated fees within a specified number of days at any Fifth Third branch.

*You, the merchant, are not responsible to collect the funds.*

Once the check writer makes the payment, our office will disburse the funds each week. Merchants will collect the full face amount of the check, and an additional \$45.00 fee. A detailed report will be attached for your verification purposes.

Should the check writer not make the full payment within the requested time frame, prosecution begins immediately thereafter.

## What Steps Should I Take To Prevent Losses From The Passing of Cold Checks?

- Post stickers and signs warning customers of your intent to prosecute individuals writing bad checks.
- Obtain identification information from check writers, such as a drivers license number, date of birth, and/or telephone numbers.
- Present cold checks to the County Attorney as soon as possible, to increase the probability of receiving payment
- Don't accept any check you are uncomfortable with for any reason!

Campbell County Attorney's Office  
Cold Check Division  
319 York Street  
Newport, KY 41071  
Phone: (859) 491-7700  
Fax: (859) 491-4025

Email: [countyattorney@campbellcountky.org](mailto:countyattorney@campbellcountky.org)  
<http://www.campbellcountyattorney.com>

Together, We Can Make A Difference In  
Campbell County!





*A Message From  
Your County Attorney  
Steven J. Franzen*

Small and large businesses alike are affected by the passing of "cold" or "bad" checks. With that in mind, I have implemented the Cold Check Recovery Program, designed specifically to reduce the passing of cold checks. Thanks to CheckRighter, I can now confidently say I offer merchants in Campbell County the most state of the art technology available. CheckRighter is a true collections tool, and one I am proud to offer at no cost to taxpayers. In fact, the bad check writer pays for the entire cost of this program. I encourage small and large businesses alike to participate in my Cold Check Recovery Program.

Writing a cold check is against the law, and I will prosecute individuals passing bad checks to the fullest extent of the law.

As always, I welcome your comments, questions and suggestions. With your participation, we can stop the passing of cold checks in Campbell County.

Steven J. Franzen  
Campbell County Attorney

**CAMPBELL  
COUNTY ATTORNEY  
STEVEN J. FRANZEN**

## ***COLD CHECK RECOVERY PROGRAM***

**A FREE SERVICE FOR  
THE CITIZENS AND  
MERCHANTS IN  
CAMPBELL COUNTY, KY**



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