

OFFICE OF THE STATE ATTORNEY

SEVENTH JUDICIAL CIRCUIT OF FLORIDA
VOLUSIA, FLAGLER, PUTNAM & ST. JOHNS COUNTIES

R.J. Larizza
STATE ATTORNEY



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****THIS PACKET APPLIES TO CHECKS WRITTEN ON OR AFTER JULY 1, 2004****

Re: Changes in the criminal statute regarding statutory notice of dishonored checks

Dear Citizen,

I am writing to inform you that the law in Florida has changed with regard to the notice which must be mailed to the worthless check writer or passer prior to filing a criminal complaint. If the check is returned with a notation that the account is **closed or does not exist**, you **need not** send written notice to the check writer or passer. For all other dishonored checks written notice must be mailed to *the address printed on the check or the address given at the time the check was passed*.

For those dishonored checks issued on or after July 1, 2004, the law extends the time for the check writer to pay to 15 days from the date you send notice. Furthermore, you **may** send your notice via regular first-class mail. If you choose to use regular mail, you must submit, along with your complaint, an "affidavit of service of mail." This affidavit is a sworn and notarized statement that states that notice was mailed and the date it was mailed. We have drafted an affidavit of service of mail form and included it with this letter. You may still send the statutory notice via certified or registered mail with return receipt requested. In that case you need not submit an affidavit of service of mail.

Please call the Worthless Check Division should you have any questions about these two changes in the law. Your failure to comply with these changes could compromise our ability to recover your money or prosecute the offender.

Sincerely,

A handwritten signature in black ink, appearing to be "R.J. Larizza", written in a cursive style.

R.J. LARIZZA
State Attorney
Seventh Judicial Circuit