

# STATE OF UTAH

## Fund Information

**FINET Name:** (GOV) Criminal Forfeiture Restricted Account

**FINET Fund:** 1400

**Legal Name:** Criminal Forfeiture Restricted Account

**Legal Authorization:** UCA 24-4-116

**Earns Interest:**  Yes  No **Earns Interest Authority:**

### Revenue Source(s):

1) Proceeds from forfeited property or money through state forfeitures

### Description:

SB 175 (2004 GS) Creates this fund to collect proceeds from forfeited property and forfeited money. The money will be appropriated to the Commission on Criminal and Juvenile Justice to be used in the Crime Reduction Assistance Program. CCJJ will make awards from the fund to State local or multijurisdictional law enforcement agencies or political subdivisions of the state. If an award is to a state agency, the money must be deposited into the State Law Enforcement Forfeiture Account (Fund 049).

HB 384 (2013 GS) Modifies the Utah Code regarding forfeiture provisions and consolidates provisions regarding forfeiture and disposition of property, including mislaid property. Repeals the current Title 24, Forfeiture Procedures, and enacts a new Title 24, Forfeiture of Property Act, which reinstates forfeiture provisions and also includes various forfeiture provisions previously located in other sections of the Utah Code. Renames the Crime Reduction Assistance Program to the State Asset Forfeiture Grant Program. Repeals and reenacts Fund 1400, Criminal Forfeiture Restricted Account. The account shall be funded from proceeds from forfeited property and forfeited money through state forfeitures. Money in the account shall be appropriated to the CCJJ for implementing the new program under Section 24-4-117. Provides that award money distributed to the recipient law enforcement agencies under the new program in Section 24-4-117 is nonlapsing. Provides that on July 1, 2013, all money in the current account 1400 shall be transferred to the newly created account (which will also be numbered 1400 and have the same name). Repeals the State law Enforcement Forfeiture Account and addresses distribution of money in the account (#1331). Provides intent language in the event money remains in the account after the appropriations for FY 13 and FY 14 are distributed.

HB 427 (2014 GS) Modifies the Forfeiture and Disposition of Property Act to provide that the funds in the State Asset Forfeiture Grant Program may be used for crime victim reparations.

### Fund Balance History:

| <u>Fund</u> | <u>Year</u> | <u>Beg Balance</u> | <u>Revenues</u> | <u>Expenses</u> | <u>Transfers</u> | <u>End Balance</u> |
|-------------|-------------|--------------------|-----------------|-----------------|------------------|--------------------|
| 1400        | 2004        | \$0                | \$0             | \$0             | \$0              | \$0                |
| 1400        | 2005        | \$0                | \$40,659        | \$0             | \$0              | \$40,659           |
| 1400        | 2006        | \$40,659           | \$288,896       | \$0             | \$0              | \$329,555          |
| 1400        | 2007        | \$329,555          | \$417,483       | \$0             | (\$300,000)      | \$447,038          |
| 1400        | 2008        | \$447,038          | \$481,538       | \$0             | (\$500,000)      | \$428,576          |
| 1400        | 2009        | \$428,576          | \$663,801       | \$0             | (\$500,000)      | \$592,377          |
| 1400        | 2010        | \$592,377          | \$1,232,881     | \$0             | (\$500,000)      | \$1,325,258        |
| 1400        | 2011        | \$1,325,258        | \$1,578,239     | \$0             | (\$820,000)      | \$2,083,497        |
| 1400        | 2012        | \$2,083,497        | \$1,362,474     | \$0             | (\$750,000)      | \$2,695,971        |
| 1400        | 2013        | \$2,695,971        | \$2,604,914     | \$0             | (\$1,999,500)    | \$3,301,385        |
| 1400        | 2014        | \$3,301,385        | \$2,647,953     | \$0             | (\$2,088,100)    | \$3,861,238        |

This report presents unofficial, unaudited information that is subject to change.

For audited financial statements, see the State of Utah Comprehensive Annual Financial Report at <http://finance.utah.gov/cafr.html>