

57 (iii) has been used or was intended to be used to commit a crime; or

58 (iv) is proceeds of a crime.

59 Section 2. Section **24-2-103** is amended to read:

60 **24-2-103. Property seized by a peace officer -- Custody and control of property.**

61 (1) (a) When property is seized by a peace officer, the peace officer or the peace  
62 officer's employing agency shall provide a receipt to the person from whom the property was  
63 seized.

64 (b) The receipt shall describe the:

65 (i) property seized;

66 (ii) date of seizure; and

67 (iii) name and contact information of the peace officer's employing agency.

68 (c) In addition to the receipt, the person from whom the property [~~was~~] is seized shall  
69 be provided with information regarding the forfeiture process, including:

70 (i) important time periods in the forfeiture process;

71 (ii) what happens to the property upon conviction or acquittal; and

72 (iii) how to make a claim for the return of the property.

73 (d) A copy of the receipt shall be maintained by the agency.

74 (e) If custody of the property is transferred to another agency, a copy of the receipt  
75 under Subsection (1)(a) shall be provided with the property.

76 (2) The agency responsible for maintaining the property shall:

77 (a) hold all seized property in safe ~~H~~→ physical legal ←~~H~~ custody until [it] the seized  
77a property can be

78 disposed of as provided in this title; and

79 (b) maintain a record of the property that includes:

80 (i) a detailed inventory of all property seized;

81 (ii) the name of the person from whom [~~it was~~] the property is seized; and

82 (iii) the agency's case number.

83 (3) Property seized under this title is not recoverable by replevin, but is considered in  
84 the agency's ~~H~~→ physical legal ←~~H~~ custody subject only to the orders of the court or the official  
84a having

85 jurisdiction.

86 (4) [~~All controlled~~] Controlled substances or other contraband that is seized by a peace  
87 officer may be processed for evidentiary or investigative purposes, including sampling or other

398 (c) may not be used for [~~those~~] the law enforcement purposes prohibited in Subsection  
399 24-4-117[~~(10)~~] (11).

400 (3) A state or local law enforcement agency awarded any equitable share of property  
401 forfeited by the federal government;

402 (a) may only use the award money after approval of the use by the agency's legislative  
403 body[-]; and

404 (b) shall report the date on which the award money was received and the amount of the  
405 award money to the commission.

406 ~~H~~→ ~~(4) An agency that receives an equitable share of property forfeited by the federal~~  
407 ~~government is ineligible to participate in the program the following fiscal year:~~

408 ——— ~~(5)~~ (4) ←~~H~~ Before transferring any property under Subsection (1), an agency shall adopt and  
409 comply with a written policy governing the transfer of property that is consistent with the  
410 provisions of this section.

411 Section 9. Section **24-4-117** is amended to read:

412 **24-4-117. State Asset Forfeiture Grant Program.**

413 (1) There is created the State Asset Forfeiture Grant Program.

414 (2) The program shall fund crime prevention, crime victim reparations, and law  
415 enforcement activities that have the purpose of:

416 (a) deterring crime by depriving [~~criminals~~] a criminal of the profits and proceeds of  
417 [~~their~~] the criminal's illegal activities;

418 (b) weakening criminal enterprises by removing the instrumentalities of crime;

419 (c) reducing crimes involving substance abuse by supporting the creation,  
420 administration, or operation of drug court programs throughout the state;

421 (d) encouraging cooperation between local, state, and multijurisdictional law  
422 enforcement agencies;

423 (e) allowing the costs and expenses of law enforcement to be defrayed by the forfeited  
424 proceeds of crime;

425 (f) increasing the equitability and accountability of the use of forfeited property used to  
426 assist law enforcement in reducing and preventing crime; and

427 (g) providing aid to victims of criminally injurious conduct, as defined in Section  
428 63M-7-502, who may be eligible for assistance under Title 63M, Chapter 7, Part 5, Utah Office