

369 federal agency or to a governmental entity not created or subject to the laws of this state.

370 (3) An agency or prosecuting attorney may transfer or release seized property to a
371 federal agency or to a governmental entity not created or subject to the laws of this state if:

372 (a) (i) the property is cash or another readily negotiable instrument; and

373 (ii) the property is evidence in, or subject to, a federal criminal indictment, a federal
374 criminal information, or a federal criminal complaint ~~§~~→ **that is filed** ←~~§~~ before the property is
374a seized;

375 (b) (i) the property is not cash or another readily negotiable instrument; and

376 (ii) the property is evidence in, or subject to, a federal criminal indictment, federal
377 criminal information, or federal criminal complaint ~~§~~→ **that is filed** ←~~§~~ before the day on which
377a the agency with

378 custody of the property is required to return the property if no criminal or civil action is filed by
379 the prosecuting attorney or a federal prosecutor in accordance with Section [24-4-103.5](#);

380 (c) (i) the property was used in the commission of an offense in another state; and

381 (ii) an agency of that state requests the transfer of the property before the day on which
382 the agency with custody of the property is required to return the property if no criminal or civil
383 action is filed by the prosecuting attorney or a federal prosecutor in accordance with Section
384 [24-4-103.5](#); or

385 (d) a district court authorizes, in accordance with Subsection (5), the transfer or release
386 of the property to an agency of another state or a federal agency upon a petition by a
387 prosecuting attorney or a federal prosecutor.

388 (4) (a) A prosecuting attorney, or a federal prosecutor, may file a petition in the district
389 court for the transfer or release of seized property.

390 (b) If a prosecuting attorney, or a federal prosecutor, files a petition under Subsection
391 (4)(a), the petition shall include:

392 (i) a detailed description of the property seized;

393 (ii) the location where the property was seized;

394 (iii) the date the property was seized;

395 (iv) the case number assigned by the agency; and

396 (v) a declaration that:

397 (A) states the basis for relinquishing jurisdiction to a federal agency or an agency of
398 another state;

399 (B) contains the names and addresses of any known claimant; and