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# Department of Public Safety Forfeitures

March 19, 2003

JOINT ON PUBLIC SAFETY/NATURAL RESOURCES  
SUBCOMMITTEE TRANSPORTATION  
DATE: 3/20/03 8:00 AM EXHIBIT C  
SUBMITTED BY: DAVID ELLISON

# Department of Public Safety

## Forfeitures

### Governing Statutes

#### **NRS 179.1187.2**

- The money in the forfeiture account may be used for any lawful purpose deemed appropriate by the chief administrative officer of the law enforcement agency, except that:
  - The money must not be used to pay the ordinary operating expenses of the agency.
  - Money derived from the forfeiture of any property related to illegal drugs must be used to enforce the laws governing controlled substances.

#### **NRS 179.119.2**

- Revenue from forfeitures must not be considered in the preparation or adoption of the budget of a law enforcement agency except as money to match money from the Federal Government.

# Department of Public Safety

## Forfeitures

Budget Accounts 4703 & 6018

Beginning Balance - July 1, 1999

\$ 2,158,261

Deposits	Year	Forfeitures	Interest	Total
	FY99	519,934	131,976	651,910
	FY00	170,446	92,343	262,789
	FY01	1,095,477	90,398	1,185,875
	FY02	413,322	64,517	477,839

2,578,413

Expenditures

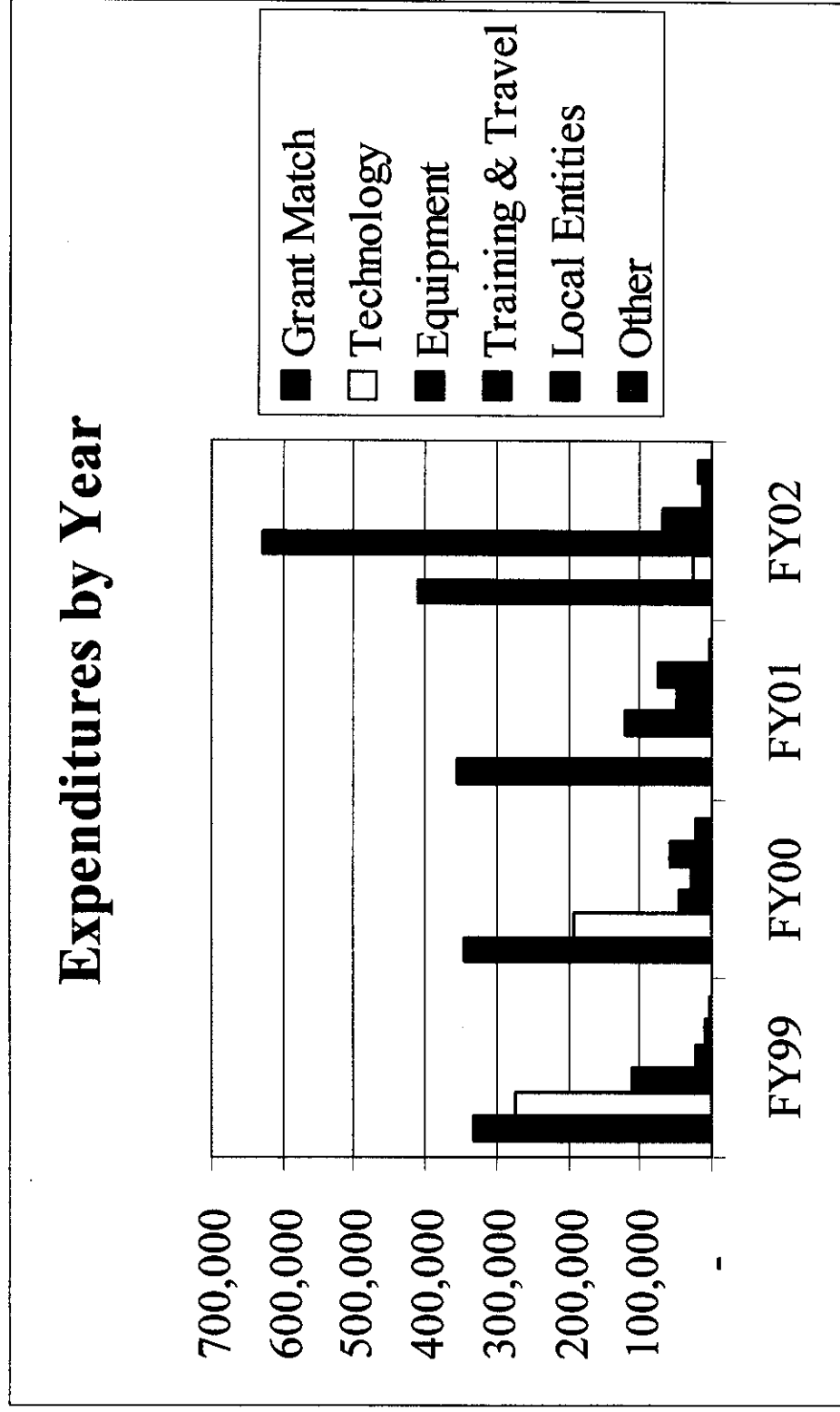
(3,211,795)

Ending Balance - June 30, 2002

\$ 1,524,879

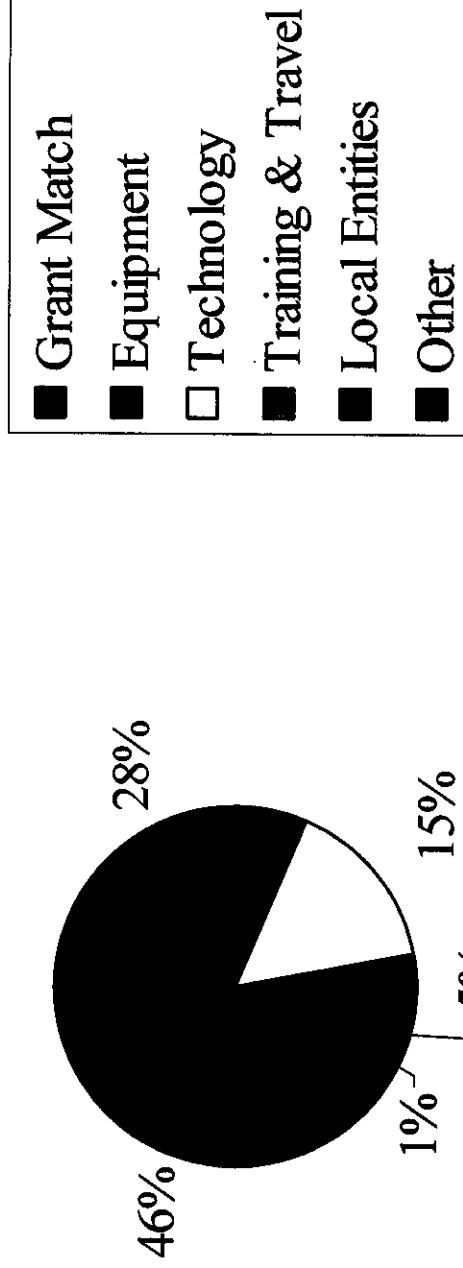
# Department of Public Safety

## Forfeitures



# Department of Public Safety Forfeitures

## Total Expenditures FY99 - FY02



## COPY OF COMPLETE TEXT NRS 179.1187 & 179.119

**NRS 179.1187 Establishment of account for proceeds from forfeited property; restrictions on use of money in account; distribution of certain amount to school district; duties of school district and chief administrative officer of law enforcement agency.**

1. The governing body controlling each law enforcement agency that receives proceeds from the sale of forfeited property shall establish with the state treasurer, county treasurer, city treasurer or town treasurer, as custodian, a special account, known as the "..... forfeiture account." The account is a separate and continuing account and no money in it reverts to the state general fund or the general fund of the county, city or town at any time. For the purposes of this section, the governing body controlling a metropolitan police department is the metropolitan police committee on fiscal affairs.

2. The money in the account may be used for any lawful purpose deemed appropriate by the chief administrative officer of the law enforcement agency, except that:

(a) The money must not be used to pay the ordinary operating expenses of the agency.

(b) Money derived from the forfeiture of any property described in NRS 453.301 must be used to enforce the provisions of chapter 453 of NRS.

(c) Money derived from the forfeiture of any property described in NRS 501.3857 must be used to enforce the provisions of Title 45 of NRS.

(d) Seventy percent of the amount of money in excess of \$100,000 remaining in the account at the end of each fiscal year, as determined based upon the accounting standards of the governing body controlling the law enforcement agency that are in place on March 1, 2001, must be distributed to the school district in the judicial district. If the judicial district serves more than one county, the money must be distributed to the school district in the county from which the property was seized.

3. A school district that receives money pursuant to paragraph (d) of subsection 2 shall deposit such money into a separate account. The interest and income earned on the money in the account, after deducting any applicable charges, must be credited to the account. The money in the account must be used to purchase books and computer hardware and software for the use of the students in that school district.

4. The chief administrative officer of a law enforcement agency that distributes money to a school district pursuant to paragraph (d) of subsection 2 shall submit a report to the director of the legislative counsel bureau before January 1 of each odd-numbered year. The report must contain the amount of money distributed to each school district pursuant to paragraph (d) of subsection 2 in the preceding biennium.

(Added to NRS by 1989, 1789; A 1991, 2287; 2001 876)

**NRS 179.119 Reports by law enforcement agencies that receive forfeited property or related proceeds; inclusion of such anticipated revenue in budget prohibited.**

1. Any law enforcement agency that receives forfeited property or the proceeds of a sale of such property pursuant to the provisions contained in NRS 179.1156 to 179.119, inclusive, shall:

(a) File a quarterly report of the approximate value of the property and the amount of the proceeds with the entity that controls the budget of the agency; and

(b) Provide the entity that controls the budget of the agency with a quarterly accounting of the receipt and use of the proceeds.

2. Revenue from forfeitures must not be considered in the preparation or adoption of the budget of a law enforcement agency except as money to match money from the Federal Government.

(Added to NRS by 1985, 1468; A 1987, 1384; 1989, 1790)