



ARIZONA STATE SENATE
Fifty-Second Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1170

forfeitures; annual report
(NOW: quarterly reports; requirements; forfeitures)

Purpose

Requires certain departments and agencies to file quarterly reports with the county board of supervisors (BOS) and city and town councils.

Background

According to statute, any monies obtained by any department or agency of this state as a result of forfeiture must be deposited into the Anti-Racketeering Revolving Fund administered by the Attorney General (AG). Similarly, any monies obtained as a result of forfeiture by the county attorney must be deposited into the County Anti-Racketeering Revolving Fund administered by the county attorney. Statute permits any monies or other property obtained as a result of forfeiture by any political subdivision of this state or the federal government to be deposited into either of the aforementioned funds (A.R.S. §§ 13-2314.01, 13-2314.03).

Any agency or department of this state that receives monies from the Anti-Racketeering Revolving Fund, the County Anti-Racketeering Revolving Fund, or receives monies in relation to property forfeited to this state, or from any department or agency of the United States or another state as a result of participation in any investigation or persecution, is required to file a quarterly report with the AG that sets forth the source of all monies and expenditures. Additionally, each political subdivision of this state that receives monies from the aforementioned funds or in relation to property forfeited to this state or from any department or agency of the United States or another state as a result of participation in any investigation or persecution, must file a quarterly report with the appropriate county attorney that sets forth the sources of all monies and expenditures. If an entity fails to file a report within 45 days after the report is due, and there is no good cause as determined by the Arizona Criminal Justice Commission (ACJC), the administrator of the fund is prohibited from making expenditures from the fund for the benefit of the entity, until the report is filed (A.R.S. §§ 13-2314.01, 13-2314.03).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires each county to maintain a website link to the ACJC on each county's website.

2. Requires any agency or department of this state that files a quarterly report with the AG to additionally file the report with the BOS if the sheriff received monies, and the city or town council if the city or town's department received monies.
3. Requires a political subdivision that files a quarterly report with the county attorney to additionally file the report with the BOS of the county and each city or town council in which the political subdivision is located.
4. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Adopted the strike everything amendment.

Senate Action

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Prepared by Senate Research

March 20, 2015

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