



County of El Dorado

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Legislation Details (With Text)

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File created: 10/22/2013 **In control:** Board of Supervisors
On agenda: 1/7/2014 **Final action:** 1/7/2014
Title: Sheriff's Office recommending the Board consider the following:
1) Authorize the Auditor/Controller to create a Special Revenue Fund for Asset Seizure State Funds for deposit of revenue received from the State Controller's Office for asset forfeiture cases; and
2) Authorize the Auditor/Controller to create an Agency Trust Account for deposit of non-evidence asset seizures.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Health and Safety Code Section 11469 1-7-14

Date	Ver.	Action By	Action	Result
1/7/2014	1	Board of Supervisors	Approved	Pass

Sheriff's Office recommending the Board consider the following:
1) Authorize the Auditor/Controller to create a Special Revenue Fund for Asset Seizure State Funds for deposit of revenue received from the State Controller's Office for asset forfeiture cases; and
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Fiscal Impact/Change to Net County Cost

None.

Background

Special Revenue Fund - Asset Seizure State Funds

Currently, the Sheriff's Office has two Federal Asset Seizure Special Revenue Funds for deposit of revenue received for the equitable share of Department of Justice and Department of Treasury federal asset seizure cases. Per Health and Safety Code Section 11469, the Sheriff's share of State forfeiture proceeds must be maintained in a separate fund.

Agency Trust Account

Currently, the Sheriff's Office is depositing funds seized from arrests into the Property-Evidence Trust Account. We need a non-evidence based Agency Trust Account to deposit non-evidence based seizures. Per Health and Safety Code Section 11469, the funds must be kept separate and the Sheriff's Office must ensure that seized property is protected and its value preserved. These funds must be easily passed through to the appropriate state or federal agency.

Reason for Recommendation

Approval of this recommendation will allow the Sheriff's Office to keep State and Federal Asset Seizure funds received in separate revenue funds. Also, the Agency Trust Account will allow the Sheriff's Office to separate its evidence and non-evidence funds received.

Action(s) to be taken following Board approval

After approval of the recommendations, the appropriate forms will be signed and the Special Revenue and Agency Trust Account will be established by the Auditor's Office.

Contact

Undersheriff, Rich Williams