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## BUDGET UNIT BRIEF – FY 2021

Fiscal Services Division

July 1, 2020



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Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

## Forfeited Property Fund

### Purpose

The Office of the Attorney General administers the Forfeited Property Fund in compliance with Iowa Code section 809A.17 (Forfeiture Reform Act). Property subject to forfeiture is defined in Iowa Code section 809A.4. Any forfeitures below \$5,000 require a conviction for the forfeiture to be retained by the State. Up to 10.0% of the gross sale of any forfeited real property or forfeited cash is retained by the Office and deposited in the Forfeited Property Fund. Cash forfeitures in excess of \$400,000 are distributed as follows: 45.0% is retained by the seizing agency, 45.0% is distributed among other law enforcement agencies within the region of the seizing agency, and 10.0% is retained by the Office of the Attorney General. Other seized property is governed by Iowa Code chapter 809A and the administrative rules of the Office of the Attorney General.

### Funding

From FY 2015 through FY 2017, receipts to the Fund averaged approximately \$356,000 annually. Receipts vary from year to year, depending on criminal activity, investigations, and prosecutions. The year-end balance carries forward to the next fiscal year. The FY 2017 carryforward balance was approximately \$1.1 million.

Expenditures from the Fund varied during the same period, with a high of approximately \$548,000 in FY 2017, and a low of \$85,695 in FY 2015. The majority of expenditures consisted of reimbursements to the Office of the Attorney General for enforcement of criminal law.

### Related Statutes and Administrative Rules

Iowa Code chapter [13](#), [809](#), and [809A](#)  
Iowa Administrative Code [61](#)

### Budget Unit Number

1120000424

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### More Information

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