

Arizona Revised Statutes Annotated

Title 13. Criminal Code (Refs & Annos)

Chapter 23. Organized Crime, Fraud and Terrorism (Refs & Annos)

A.R.S. § 13-2314.03

§ 13-2314.03. County anti-racketeering revolving fund; use of fund; reports

Effective: July 3, 2015

[Currentness](#)

**A.** The board of supervisors of a county shall establish a county anti-racketeering revolving fund administered by the county attorney under the conditions and for the purposes provided by this section.

**B.** Any prosecution and investigation costs, including attorney fees, recovered for the county as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of racketeering in [§ 13-2301, subsection D](#), paragraph 4 or [§ 13-2312](#), whether by final judgment, settlement or otherwise, shall be deposited in the fund established by the board of supervisors.

**C.** Any monies received by any department or agency of this state or any political subdivision of this state from any department or agency of the United States or another state as a result of participation in any investigation or prosecution, whether by final judgment, settlement or otherwise, shall be deposited in the fund established by this section or in the fund established by [§ 13-2314.01](#).

**D.** Any monies obtained as a result of a forfeiture by the county attorney under this title or under federal law shall be deposited in the fund established by this section. Any monies or other property obtained as a result of a forfeiture by any political subdivision of this state or the federal government may be deposited in the fund established by this section or in the fund established by [§ 13-2314.01](#). Monies deposited in the fund pursuant to this section or [§ 13-4315](#) shall accrue interest and shall be held for the benefit of the agency or agencies responsible for the seizure or forfeiture to the extent of their contribution. Except as provided in subsections F and G of this section, the monies and interest shall be distributed to the agency or agencies responsible for the seizure or forfeiture within thirty days of application.

**E.** Monies in the fund may be used for the funding of gang prevention programs, substance abuse prevention programs, substance abuse education programs, programs that provide assistance to victims of a criminal offense that is listed in [§ 13-2301](#) and witness protection pursuant to [§ 11-536](#) or for any purpose permitted by federal law relating to the disposition of any property that is transferred to a law enforcement agency. Monies in the fund may be used for the investigation and prosecution of any offense included in the definition of racketeering in [§ 13-2301, subsection D](#), paragraph 4 or [§ 13-2312](#), including civil enforcement.

**F.** On or before January 25, April 25, July 25 and October 25 of each year, the county attorney shall cause to be filed with the Arizona criminal justice commission a report for the previous calendar quarter. The report shall be in a form that is prescribed by the Arizona criminal justice commission and approved by the director of the joint legislative budget committee. The report shall set forth the sources of all monies and all expenditures. The report shall not include any identifying information about specific investigations. If the county attorney fails to file a report within sixty days after it is due and there is no good cause

as determined by the Arizona criminal justice commission, the county attorney shall make no expenditures from the fund for the benefit of the county attorney until the report is filed.

**G.** On or before January 15, April 15, July 15 and October 15 of each year, each political subdivision of this state receiving monies pursuant to this section or § 13-2314.01 or 13-4315 or from any department or agency of the United States or another state as a result of participating in any investigation or prosecution shall cause to be filed with the board of supervisors of the county in which the political subdivision is located, each city or town council in which the political subdivision is located and the county attorney of the county in which the political subdivision is located a report for the previous calendar quarter.

The report shall be in a form that is prescribed by the Arizona criminal justice commission and approved by the director of the joint legislative budget committee. The report shall set forth the sources of all monies and all expenditures. The report shall not include any identifying information about specific investigations. If a political subdivision of this state fails to file a report within forty-five days after the report is due and there is no good cause as determined by the Arizona criminal justice commission, the county attorney shall make no expenditures from the fund for the benefit of the political subdivision until the report is filed. The county attorney shall be responsible for collecting all reports from political subdivisions within that county and transmitting the reports to the Arizona criminal justice commission at the time that the county report required pursuant to subsection F of this section is submitted.

**H.** On or before September 30 of each year, the Arizona criminal justice commission shall compile all county attorney reports into a single comprehensive report and all political subdivision reports into a single comprehensive report and submit a copy of each comprehensive report to the governor, the president of the senate, the speaker of the house of representatives, the director of the joint legislative budget committee and the secretary of state.

#### Credits

Added by Laws 1984, Ch. 304, § 2. Amended by Laws 1987, Ch. 307, § 10; Laws 1991, Ch. 320, § 2; Laws 1994, Ch. 200, § 16, eff. April 19, 1994; Laws 1994, Ch. 219, § 4; Laws 2011, Ch. 18, § 14; Laws 2011, Ch. 83, § 7; Laws 2014, Ch. 151, § 5; Laws 2015, Ch. 40, § 3.

<Title 13, the revised Criminal Code, consisting of Chapters 1 to 33, 35, 35.1, and 36 to 38, was adopted by Laws 1977, Ch. 142, §§ 1 to 178, effective October 1, 1978, Laws 1978, Ch. 200, § 3, effective October 1, 1978, and Laws 1978, Ch. 215, § 3, effective October 1, 1978.>

#### Notes of Decisions (1)

A. R. S. § 13-2314.03, AZ ST § 13-2314.03

Current through the First Regular Session of the Fifty-Second Legislature