



Ohio Revised Code

Section 1501.45 Forfeiture - distribution of proceeds - funds created.

Effective: September 14, 2016

Legislation: Senate Bill 293 - 131st General Assembly

(A) As used in this section:

(1) "Forfeiture laws" means provisions that are established in Title XXIX of the Revised Code and that govern the forfeiture and disposition of certain property that is seized pursuant to a law enforcement investigation.

(2) "Law enforcement division" means the division of forestry, the division of natural areas and preserves, the division of wildlife or the division of parks and watercraft in the department of natural resources.

(3) "Law enforcement fund" means a fund created in this section.

(B) Except as otherwise provided in this section and notwithstanding any provision of the Revised Code that is not in Title XV of the Revised Code to the contrary, the forfeiture laws apply to a law enforcement division that substantially conducts an investigation that results in the ordered forfeiture of property and also apply to the involved forfeiture of property, and the law enforcement division shall comply with those forfeiture laws. Accordingly, the portion of the forfeiture laws that authorizes certain proceeds from forfeited property to be distributed to the law enforcement agency that substantially conducted the investigation that resulted in the seizure of the subsequently forfeited property apply to the law enforcement divisions except as provided in division (C)(2)(a) of this section. If a law enforcement division is eligible to receive such proceeds, the proceeds shall be deposited into the state treasury to the credit of the applicable law enforcement fund.

(C)(1) There are hereby created in the state treasury the division of wildlife law enforcement fund and the natural resources law enforcement fund.

(2) The funds shall consist of proceeds from forfeited property that are deposited as follows:



- (a) Proceeds from forfeited property resulting from an investigation conducted by the division of forestry, the division of natural areas and preserves, or the division of parks and watercraft shall be deposited in the natural resources law enforcement fund.
- (b) Proceeds from forfeited property resulting from an investigation conducted by the division of wildlife shall be deposited in the division of wildlife law enforcement fund.
- (3) The funds shall be used for law enforcement purposes specified in the forfeiture laws as follows:
 - (a) Money in the natural resources law enforcement fund shall be used by the division of parks and watercraft.
 - (b) Money in the division of wildlife law enforcement fund shall be used by the division of wildlife.
- (4) A law enforcement division shall not use its fund to pay the salaries of its employees or to provide for any other remuneration of personnel.
- (D) If the forfeiture laws conflict with any provisions that govern forfeitures and that are established in another section of Title XV of the Revised Code, the provisions established in the other section of Title XV apply.