

**ATTORNEY REPRESENTING THE STATE  
INSTRUCTIONS**

Do not include federal seizures and/or forfeitures on this form. This form is only for those seizures and/or forfeitures made pursuant to Chapter 59 of the Texas Code of Criminal Procedure.

- I. SEIZED FUNDS - Funds that have been seized but have not yet been awarded/forfeited to your agency by the judicial system.**
- A) Beginning Balance:**  
Include total amount of seized funds on hand (in your agency's possession) at beginning of reporting period including interest. Include funds that may have been forfeited but have not been transferred to your agency's forfeiture account. **Do not** include funds that are in an account held by another agency, e.g., a police department's account.
- B) Seizures During Reporting Period:**
- B)1** Include only those seizures which occurred during the reporting period and where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency. (e.g. seizing officer's affidavit)
- B)2** Include only amounts seized by other agencies in your jurisdiction and which have been transferred to your office for custody pending forfeiture.
- C) Forfeiture Petitions Filed For All Agencies You Represent:**  
Enter the **total amount** of seized funds for which forfeiture petitions were filed during the reporting period. Do not include amounts seized if a petition has not been filed. **Note:** this may include all or part of the funds listed in B above due to the 30 day limitations period on filing petitions. (This should be a currency amount, for example \$1,000).
- D) Forfeitures Pending For All Agencies You Represent:**  
Enter the **total amount** of seized funds at the end of the reporting period where a forfeiture petition has been filed but no final judgment has been entered. Include amounts subject to petitions filed in prior reporting periods. (This should be a currency amount, for example \$1,000).
- E) Interest Earned on Seized Funds During Reporting Period:**  
Include only the amount of interest earned on seized funds or funds that may have been forfeited but not yet transferred to your forfeiture account. Do not include interest earned on seized funds that are on deposit in an account that does not belong to your agency.
- F) Amount Returned to Defendants/Respondents:**  
If you returned seized funds to the Defendant(s) enter that amount here.
- G) Amount Transferred to Forfeiture Account:**  
Include all amounts in your agency's possession forfeited during the reporting period and transferred to your forfeiture account. Do not include funds that are in an account held by another agency, e.g. a police department's account.
- H) Other Reconciliation Items:**  
Use this line for situations where the agency's handling of funds differs causing accounts to remain unbalanced. Enter reconciliation amount here as a positive or negative amount (as appropriate). Please explain on a separate sheet and attach.
- I) Ending Balance:**  
Include total amount of seized funds on hand (in your agency's possession) at end of reporting period. **Do not** include funds that are in an account held by another agency, e.g. a police department's account. Add lines A, B(1), B(2), E, and H, subtract lines F and G, put total in line I.
- II. FORFEITED FUNDS AND OTHER COURT AWARDS PURSUANT TO CHAPTER 59- Funds awarded to your agency by the judicial system and which are available to spend.**
- A) Beginning Balance:**  
Include total amount of forfeited funds that have been forfeited **to your agency** and are on hand (in your agency's account or in your agency's possession) at beginning of the reporting period including interest. **Do not** include funds that have been forfeited but not yet received by your agency.
- B) Amount Forfeited For All Agencies You Represent and Covered by Local Agreement:**  
Enter the **total amount** forfeited by all forfeiture judgments in your jurisdiction for the reporting year. Do not include judgments that are not yet final due to appeal or motions for new trial. Include interest that was forfeited as part of the judgment.
- B) 1) Amount Forfeited and Transferred to all Agencies Covered by Local Agreement:**  
Do not include amounts forfeited but not yet transferred to these agencies. Include interest that has been forfeited as part of the judgment.
- B) 2) Amount Forfeited and Received by Your Agency:**  
Do not include amounts forfeited but not yet received by your agency. Do not include amounts awarded to other agencies. Interest refers to the amount earned prior to forfeiture and distributed as part of the judgment of forfeiture.
- C) Interest Earned on Forfeited Funds During Reporting Period:**  
Include only the amount of interest earned on forfeited funds or interest earned on funds derived from the sale of forfeited property. Do not include interest amounts that were reported in line B2 above. Do not include interest earned if funds are on deposit in an account that does not belong to your agency.
- D) Amount Awarded Pursuant to 59.022 (f)(1)**  
Enter the **total amount** awarded by the court which involve costs incurred investigating and identifying the location of the contraband, including discovery costs, reasonable attorney's fees, expert fees, other professional fees incurred by the attorney, and travel expenses.
- D) 1) Amount Awarded and Transferred to All Agencies You Represent Pursuant to 59.022 (f)(1):**

Do not include amounts awarded but not yet transferred to these agencies. Include interest that has been awarded as part of the judgment.

**D) 2) Amount Awarded and Received by Your Agency Pursuant to 59.022 (f)(1):**

Do not include amounts awarded but not yet received by your agency. Do not include amounts awarded to other agencies. Interest refers to the amount earned prior to the award and distributed as part of the award.

**E) Amount Awarded For All Agencies You Represent Pursuant to 59.023(a):**

Enter the **total amount** awarded by the court from the commission of an offense listed in Article 59.01 (2)(A) or (B).

**D) 1) Amount Awarded and Transferred to All Agencies You Represent Pursuant to 59.023(a):**

Do not include amounts awarded but not yet transferred to these agencies. Include interest that has been awarded as part of the judgment.

**D) 2) Amount Awarded and Received by Your Agency Pursuant to 59.023(a):**

Do not include amounts awarded but not yet received by your agency. Do not include amounts awarded to other agencies. Interest refers to the amount earned prior to the award and distributed as part of the award.

**F) Proceeds Received by Your Agency From Sale of Forfeited Property:**

Include amounts received for all property sold during the reporting period, even if the subject property was forfeited in a prior reporting period.

**G) Amount Returned to Crime Victims:**

Example: theft, misapplication of fiduciary property.

**H) Other Reconciliation Items:**

Use this line for situations where the agency's handling of funds differs causing accounts to remain unbalanced. Enter reconciliation amount here as a positive or negative amount (as appropriate). Please explain on a separate sheet and attach.

**I) Total Expenditures of Forfeited Funds During Reporting Period:**

From Total on Section VI.

**J) Ending Balance:**

Instructions: Add lines A, B(2), C, D(2), E(2) and F, subtract lines G, H, and I, place total in line J.

**III. OTHER PROPERTY**

List the number of cases filed, pending, or disposed for each category. List as "pending" only cases where a petition was filed. List as "seized" only those seizures where a seizure is made by a peace officer employed by your agency. If property is sold, list under "Proceeds Received by Your Agency From Sale of Forfeited Property" in Section II (D) in the reporting year in which the proceeds are received. **Please note - this should be a number not a currency amount. Example 4 cars seized, 3 cars forfeited and 0 cars put into use.**

**IV. FORFEITED PROPERTY RECEIVED FROM ANOTHER AGENCY**

Enter the total number of items transferred to your agency where the forfeiture judgment awarded ownership of the property to another agency prior to the transfer.

- A)** Motor Vehicles - number of vehicles, not a currency amount
- B)** Real Property - number of separate parcels of property, not a currency amount
- C)** Computers- number of computers, not a currency amount
- D)** Firearms - the number of firearms, not a currency amount
- E)** Other - the number of items, not a currency amount

**V. FORFEITED PROPERTY TRANSFERRED OR LOANED TO ANOTHER AGENCY**

Enter the total number of items transferred or loaned from your agency where the forfeiture judgment awarded ownership of the property to your agency prior to the transfer.

- A)** Motor Vehicles - number of vehicles, not a currency amount
- B)** Real Property - number of separate parcels of property, not a currency amount
- C)** Computers- number of computers, not a currency amount
- D)** Firearms - the number of firearms, not a currency amount
- E)** Other - the number of items, not a currency amount

**VI. EXPENDITURES**

This category is for **Chapter 59 expenditures SOLELY for the official purposes of the office of the attorney representing the state** - not for expenditures made pursuant to your general budget. List the total amount expended for each of the following categories. If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the **Other** category.

**BOTH CERTIFICATIONS MUST BE COMPLETED. THE CHAPTER 59 FORM WILL BE RETURNED TO YOU AND WILL NOT BE CONSIDERED RECEIVED UNTIL BOTH CERTIFICATIONS ARE SIGNED APPROPRIATELY.**

**WE MUST HAVE THE ORIGINAL, SIGNED DOCUMENT.  
WE CANNOT ACCEPT FAXED OR EMAILED COPIES. RETURN THE SIGNED,  
ORIGINAL DOCUMENT TO:**

Office of the Attorney General  
Criminal Prosecutions Division  
P.O. Box 12548  
Austin, TX 78711-2548

Attn: Kent Richardson  
(512)463-1591  
Chapter59AuditReport@texasattorneygeneral.gov