

RESOLUTION 92- 57

WHEREAS the Fine and Forfeiture Fund has received unclaimed cash evidences. Per Florida Statutes 705.105 this cash vests with the Sheriff's Office.

WHEREAS these revenues were not anticipated in the 1991/92 budget for the Fine and Forfeiture Fund.

BE IT THEREFORE resolved by the Board of County Commissioners, Nassau County, Florida in regular session, duly assembled on the 16th day of December, 1991, the following budget amendment pursuant to Florida Statutes Chapter 129.06(2)(d) be adopted:

REVENUE

101-351-200-101 Unclaimed Evidence \$ 7,215.47

APROPRIATION

101-281-93-201 Budget Transfer - Sheriff \$ 7,215.47

ADOPTED this 16th day of December, 1991.

ATTEST:

J. Green

EX OFFICIO CLERK

Jim B. ...
CHAIRMAN



JACKSONVILLE, FLORIDA

No 029298

63-1392/630

1st Performance

014

S. Gross

Dec. 5

19 91

REMITTER

BRANCH

PREPARER

PAY

1 PERFORMANCE BANK 7,215.47cts

DOLLARS \$ 7215.47

TO THE ORDER OF ***Board of County Commissioners***
close account #53722062593

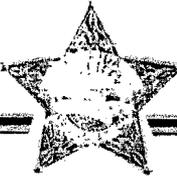
OFFICIAL CHECK

Jarvis Johnson
AUTHORIZED SIGNATURE

⑈029298⑈ ⑆063013924⑆ 1001101101⑈

5-29

FLORIDA



SHERIFFS ASSOCIATION

Post Office Box 12519 • Tallahassee, Florida 32317-2519
Telephone (904) 877-2165 • FAX (904) 878-8665

June 13, 1991

Lieutenant Carl Woodle
Nassau County Sheriff's Office
50 Bobby Moore Circle
Yulee, FL 32097

Dear Lieutenant Woodle:

We have compiled the following legal opinion in response to your question:

How should a Sheriff's Office dispose of unclaimed cash evidence?

Section 705.105, Florida Statutes, provides that unclaimed evidence belongs to the agency 60 days after conclusion of the proceeding for which the evidence was seized. The agency may retain, transfer to a governmental unit, donate to charity, or sell at advertised public sale. ~~The cash evidence should be given to the County Commission as an unanticipated revenue to be appropriated back to the Sheriff's Office as Section 705.105, Florida Statutes, mandates that title to such property shall vest in the Sheriff's Office but the Sheriff's Office needs budget authority from the County to spend it under Chapter 129, Florida Statutes.~~

Section 116.21, Florida Statutes, provides that Sheriffs are authorized at their discretion on or before September 25 of each and every year thereafter to pay into the fine and forfeiture fund of their respective counties any or all unclaimed monies deposited or collected by them in their official capacity, which unclaimed monies came into their hands prior to January 1 of the preceding year and for which monies claim has not been made.

Persons having or claiming any interest in such funds or any portion of them shall file their written claims with the Sheriff or Clerk of the Court of the county having custody of such funds within the time specified by the notice and shall make sufficient proof to the Sheriff or Clerk of his ownership and upon so doing shall be entitled to receive any part of the monies so claimed.

WE SPONSOR



FLORIDA SHERIFFS YOUTH RANCHES, INC

Boys Ranch, Youth Villa, Youth Ranch, Youth Camp, Caruth Camp

Letter - Woodle
June 13, 1991
page two

If we may be of further assistance to you in this matter, please
call upon us.

Sincerely,

J.M. "Buddy" Phillips, Jr.
Executive Director



Maury Kolchakian
General Counsel

JMP/MK/ps