

HB 1776 -- ASSET FORFEITURE

SPONSOR: Lovasco

This bill prohibits law enforcement agencies and prosecuting authorities from referring, transferring, or otherwise relinquishing possession of seized property to a federal agency for the purpose of the property's forfeiture under federal law. Law enforcement agencies that participate in a multijurisdictional collaboration must transfer responsibility for the seized property to the state prosecuting authority. If federal law requires transfer of the property to a federal agency, the transferring law enforcement agency is prohibited from accepting payment of any kind or distribution of forfeiture proceeds from the federal agency.

This bill does not restrict a law enforcement agency from acting alone or collaborating with another agency, including a federal agency, to seize contraband or property a law enforcement agency has probable cause to believe is the proceeds or instrument of an offense.

This bill is similar to HCS HB 444 (2019).