

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill Nos. 53 & 60, Page 66, Section 510.521, Line 2, by inserting after said section and line
3 the following:
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5 "513.655. 1. No law enforcement agency or prosecuting authority shall refer, transfer, or
6 otherwise relinquish possession of property seized under state law to a federal agency by way of
7 adoption of the seized property or other means for the purpose of the property's forfeiture under the
8 Controlled Substances Act (21 U.S.C. Section 881) or the Comprehensive Drug Abuse Prevention
9 and Control Act of 1970, Pub. L. 91-513, Section 413.

10 2. Law enforcement agencies that participate in a joint task force or other multijurisdictional
11 collaboration, including a task force with federal agencies, shall transfer responsibility for the seized
12 property to the state prosecuting authority for forfeiture under state law.

13 3. If a federal agency prohibits the transfer of seized property and currency to the state
14 prosecuting authority and instead requires the property to be transferred to a federal agency for
15 forfeiture under federal law, the law enforcement agency is prohibited from accepting payment of
16 any kind or distribution of forfeiture proceeds from the federal agency.

17 4. Nothing in subsection 2 or 3 of this section shall be construed to restrict a law
18 enforcement agency from acting alone or collaborating with another agency, including a federal
19 agency, to seize contraband or property that a law enforcement agency has probable cause to believe
20 is the proceeds or instrument of a crime.

21 5. Nothing in this section shall be construed to prohibit a federal agency, acting without the
22 involvement of a local, county, or state law enforcement agency, from seizing property and seeking
23 forfeiture under federal law."; and
24

25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.

Action Taken _____ Date _____