

HB 750 -- 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 the same as HB 1776 (2020) and similar to HCS HB 444 (2019).