

House Bill 832

By: Representatives Turner of the 21st, Pezold of the 133rd, Spencer of the 180th, Clark of the 147th, Caldwell of the 20th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 9-16-15 of the Official Code of Georgia Annotated, relating to stay
2 of civil forfeiture proceedings during pendency of criminal proceedings, so as to require the
3 conclusion of criminal proceedings prior to civil forfeiture proceedings; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 9-16-15 of the Official Code of Georgia Annotated, relating to stay of civil
8 forfeiture proceedings during pendency of criminal proceedings, is amended by revising
9 subsections (a) and (b) as follows:

10 ~~"(a) For good cause shown by the state or the owner or interest holder of the property, the~~
11 ~~court may~~ The court shall stay civil forfeiture proceedings during the pendency of criminal
12 proceedings resulting from a related indictment or accusation until such time as the
13 criminal proceedings result in a plea of guilty, a conviction after trial, or an acquittal after
14 trial or are otherwise concluded before the trial court.

15 (b) An acquittal or dismissal in a criminal proceeding shall ~~not~~ preclude civil forfeiture
16 proceedings."

17 style="text-align:center">**SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.