HLS 22RS-135 ORIGINAL

2022 Regular Session

HOUSE BILL NO. 672

BY REPRESENTATIVE JORDAN

CRIMINAL/FORFEITURE: Eliminates asset forfeiture

AN ACT

To repeal R.S. 40:2606, relative to the Seizure and Controlled Dangerous Substances

Property Forfeiture Act of 1989; to provide relative to the seizure of property; to

eliminate the seizure of property relative to a criminal violation; and to provide for

related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2606 is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 672 Original

2022 Regular Session

Jordan

Abstract: Eliminates seizure of property that is alleged to be evidence or is not evidence of a criminal violation.

<u>Present law</u> allows property that is alleged to be or is not evidence of a criminal violation to be seized for forfeiture with or without process issued by any district court on probable cause to believe that the property is subject to forfeiture under <u>present law</u>.

<u>Present law</u> provides for the process and time limitations by which such seizure is to occur.

<u>Present law</u> provides that a seizure without process is reasonable if made under circumstances in which a warrantless seizure or arrest would be reasonable in accordance with law.

Proposed law repeals present law.

(Repeals R.S. 40:2606)