

2019 -- H 5357

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LC000928  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO CRIMINAL PROCEDURES - RETURN OF SEIZED PROPERTY

Introduced By: Representatives Walsh, Lombardi, Lyle, Hull, and Bennett

Date Introduced: February 08, 2019

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 12-21 of the General Laws entitled "Recovery of Fines, Penalties,  
2 and Forfeitures" is hereby amended by adding thereto the following section:

3           **12-21-23.1. Return of seized properties.**

4           Notwithstanding any other statutory seizure and civil forfeitures procedural requirements,  
5 all seized property or money must be returned no later than ninety (90) days after law  
6 enforcement officials have determined that criminal charges are not warranted involving the  
7 property seized or a final judicial determination is made dismissing the alleged criminal  
8 violation(s) which initially justified the seizure of the property, unless the seized property is  
9 forfeitable controlled substances.

10          SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO CRIMINAL PROCEDURES - RETURN OF SEIZED PROPERTY

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1           This act would require state and municipal authorities to return forfeited property or  
2 money to its owner when no criminal charges are filed, or where a court has made a finding that  
3 no violation has occurred, within ninety (90) days of its final determination unless the seized  
4 property is forfeitable controlled substances.

5           This act would take effect upon passage.

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