

HOUSE BILL NO. HB0134

Seized property.

Sponsored by: Representative(s) Miller, Blackburn, Blake, Clem, Halverson, Jaggi, Kasperik, Kroeker, Piiparinen, Schwartz and Winters and Senator(s) Coe

A BILL

for

1 AN ACT relating to seized property; specifying that
2 proceeds from the sale of forfeited property shall be
3 deposited in the crime victims compensation account;
4 repealing conflicting provisions; and providing for an
5 effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 7-2-105(j) and (n) and
10 35-7-1049(e) (intro) and (ii) are amended to read:

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12 **7-2-105. Disposition and appraisal of property seized**
13 **or held; notice and order to show cause; judgment.**

14

1 (j) Upon the entry of a judgment of forfeiture the
2 court shall ~~determine the disposition to be made of the~~
3 ~~property, which may include~~ order the redemption,
4 destruction or sale of the property ~~or the allocation of~~
5 ~~the property to some other governmental function or use or~~
6 ~~otherwise, as the court may determine~~ as provided in this
7 section.

8
9 (n) The balance of the proceeds, if any, shall be
10 deposited in the ~~general operating account of the state,~~
11 ~~county or municipal entity that has fiscal authority over~~
12 ~~the law enforcement agency confiscating the property~~ crime
13 victims compensation account created by W.S. 1-40-114.

14
15 **35-7-1049. Forfeitures and seizures generally;**
16 **property subject to forfeiture.**

17
18 (e) When property is forfeited under this act, the
19 commissioner ~~may~~ shall:

20
21 (ii) Sell any such property which is not
22 required to be destroyed by law and which is not harmful to
23 the public. The proceeds shall be used for payment of all

1 proper expenses of the proceedings for forfeiture and sale,
 2 including expenses of seizure, maintenance of custody,
 3 advertising and court costs. The balance of the proceeds,
 4 if any, shall be deposited in the crime victims
 5 compensation account created by W.S. 1-40-114; or

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7 **Section 2.** W.S. 35-7-1049(e)(i), (iii) and (v) is
 8 repealed.

9

10 **Section 3.** This act is effective July 1, 2015.

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12

(END)