

HOUSE RESEARCH

Bill Summary

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Subject: Authorizes the DOC Fugitive Apprehension Unit to share in certain forfeiture proceeds

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Overview

This bill permits the Department of Corrections' Fugitive Apprehension Unit to share in certain forfeiture proceeds when it seizes certain property subject to forfeiture. However, the bill does not allow the unit to seize certain types of property that other law enforcement agencies may seize, such as motor vehicles associated with controlled substance offenses and certain other offenses, and real property associated with or used to commit certain crimes.

Section

- 1** **Definitions.** Adds the Department of Corrections' Fugitive Apprehension Unit to the definition of "appropriate agency" (i.e. law enforcement agency) in the criminal forfeiture law.
- 2** **Associated property.** Prohibits the Fugitive Apprehension Unit from seizing real property under the forfeiture law that is associated with controlled substance offenses.
- 3** **Limitations on forfeiture of certain property associated with controlled substances.** Prohibits the Fugitive Apprehension Unit from seizing conveyance devices under the forfeiture law that are associated with controlled substance offenses.
- 4** **Property subject to forfeiture.** Prohibits the Fugitive Apprehension Unit from seizing real property under the forfeiture law that was used to commit or facilitate any designated offense.
- 5** **Vehicle forfeiture for prostitution offenses.** Prohibits the Fugitive Apprehension Unit from seizing motor vehicles under the forfeiture law that are used to commit or facilitate a

Section

prostitution offense.

- 6 Vehicle forfeiture for fleeing a peace officer.** Prohibits the Fugitive Apprehension Unit from seizing motor vehicles under the forfeiture law that are used to commit or facilitate a fleeing a peace officer offense.
- 7 Property subject to administrative forfeiture; presumption.** Prohibits the Fugitive Apprehension Unit from administratively forfeiting any conveyance devices containing controlled substances or any guns, ammunition, or firearms that are associated with controlled substance offenses.
- 8 Rental property.** Prohibits the Fugitive Apprehension Unit from seizing real property under the rental property forfeiture law; a law that permits the seizure of rental property under certain circumstances when illegal controlled substances are seized on the premises incident to a lawful search or arrest.
- 9 Motor vehicles subject to forfeiture.** Prohibits the Fugitive Apprehension Unit from seizing motor vehicles under the forfeiture law that are used to commit or facilitate a drive-by shooting offense.