

April 18, 2007

H 1716. STATE TO RETAIN CUSTODY/FORFEITED PROPERTY. Filed 4/18/07. *TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT AGENCY THAT SEIZES PROPERTY SHALL RETAIN CUSTODY OF THE PROPERTY FOR THE STATE TO ENSURE THAT THE CLEAR PROCEEDS OF ANY FORFEITURES ARE PAID TO THE PUBLIC SCHOOLS AS REQUIRED BY THE STATE CONSTITUTION.*

To be summarized in tomorrow's *Daily Bulletin*.

Intro. by Love.

GS 15, 90

April 19, 2007

H 1716. STATE TO RETAIN CUSTODY/FORFEITED PROPERTY. Filed 4/18/07. *TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT AGENCY THAT SEIZES PROPERTY SHALL RETAIN CUSTODY OF THE PROPERTY FOR THE STATE TO ENSURE THAT THE CLEAR PROCEEDS OF ANY FORFEITURES ARE PAID TO THE PUBLIC SCHOOLS AS REQUIRED BY THE STATE CONSTITUTION.*

Amends GS 15-11.1 and GS 90-112 to forbid law enforcement agencies that seize property to request a federal agency to adopt the seizure, or otherwise to propose or agree to the transfer of seized property to a federal agency, without specific authorization from either the senior resident superior court judge or chief district court judge in the district where the seizure occurred. The judge may not authorize the transfer of seized property to a federal agency unless the law enforcement agency shows that the seizure occurred pursuant to a joint local-federal enforcement action in which the federal agency took the dominant role.

Intro. by Love.

GS 15, 90