
Appropriations Committee

SSB 5728

Brief Description: Concerning the state's portion of civil asset forfeiture collections.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Holy, Dhingra and Nobles; by request of State Treasurer).

Brief Summary of Substitute Bill

- The state portion of moneys collected through civil forfeiture actions related to certain offenses are deposited in the Behavioral Health Loan Repayment Program Account instead of the state General Fund.

Hearing Date: 2/22/22

Staff: Charlie Gavigan (786-7340).

Background:

The Uniform Controlled Substances Act allows civil forfeiture of real and personal property used in drug-related offenses. Once property is deemed forfeited, the enforcement agency may retain the property for official use, sell the property, dispose of the property, or forward it to the Drug Enforcement Administration.

In addition to drug-related offenses, seizure and forfeiture of property is authorized for other types of offenses, including:

- a person's vehicle upon the person's second or subsequent conviction for driving while intoxicated;
- property used in the commission of a felony; and
- property used in the commission of various sex crimes.

Ten percent of the net proceeds of any property forfeited during the preceding calendar year for

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

these offenses are remitted to the state treasurer for deposit into the state General Fund.

The Behavioral Health Loan Repayment Program was established in 2019. The program provides financial support to eligible licensed health professionals through loan repayment and conditional scholarships.

Summary of Bill:

The state's portion of specified civil asset forfeiture collections must be deposited in the Behavioral Health Loan Repayment Program Account instead of the state General Fund. These civil forfeitures relate to drug-related offenses, some driving while intoxicated offenses, commission of felonies, and various sex crimes.

The Behavioral Health Loan Repayment Program Account will retain its own interest earnings.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.