

Subject Service of complaints in forfeiture matters

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Overview

In the 2021 session, the legislature passed several changes to provisions related to civil asset forfeiture. The changes established parallel structures in forfeitures related to DWI and controlled substances. The provisions passed in 2021 were not identical and created some confusion about how certain complaints challenging forfeiture should be served. This bill clarifies the manner of service and harmonizes the two sections of law.

Summary

| Section | Description |
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| 1 | Administrative forfeiture procedure. Provides that a statement of claim and any other pleading or filing made in conciliation court may be served and filed as permitted by the Rules of Conciliation Court Procedure. The section is effective the day following final enactment. |
| 2 | Judicial determination. Permits service of a complaint challenging asset forfeiture to be made on the prosecuting authority by certified mail, consistent with the parallel provision relating to DWI forfeitures. Provides that a statement of claim and any other pleading or filing made in conciliation court may be served and filed as permitted by the Rules of Conciliation Court Procedure. The section is effective the day following final enactment. |