

HOUSE RESEARCH

Bill Summary

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Subject: Forfeiture of Contraband or Controlled Substance

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Overview

This bill authorizes the city attorney to participate in the eviction and forfeiture process involving rental property where contraband or a controlled substance is seized. Currently, only the county attorney is involved in the process.

Section

- 1 Rental Property.** Permits the city attorney to participate in the eviction and forfeiture process involving rental property where contraband or a controlled substance is seized to the same extent as the county attorney. Currently, if contraband or a controlled substance is seized, the county attorney is required to give notice to the landlord or fee owner indicating what has been seized and specifying any applicable duties or penalties. Current law provides that upon the first occurrence, the landlord or the county attorney must bring an eviction action, and upon the second occurrence, the property is subject to forfeiture, unless an eviction action was previously brought. At any time, the landlord may assign its eviction rights to the county attorney.
- 2 Additional Remedies.** Provides that nothing in section 1 prohibits the county attorney or city attorney from proceeding under the section of law that authorizes the forfeiture of property associated with controlled substances, if applicable.
- 3 Defenses.** Technical, conforming amendment.