

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 389  
**Version:** As introduced

**DATE:** February 8, 2017

**Authors:** O'Neill and others

**Subject:** Innocent owner provision expanded

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This bill modifies the “innocent owner” defense in forfeiture cases involving a vehicle seized when an offender was driving while intoxicated. Allows any owner of a motor vehicle to petition the court for return of a motor vehicle. Requires the petitioning owner to prove a lack of actual or constructive knowledge of the illegal vehicle use, or an attempt to prevent the use. Provides that petitioning owners are presumed to know of an offender’s illegal use if the offender is a family or household member of any petitioning owner and has three or more prior DWI convictions.