

MAINE STATE LEGISLATURE

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Date 4/28/23

Majority

L D 962
(Filing No H- 84)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 609, L D 962, "An Act to Lower the Amount of Seized Currency in a Criminal Asset Forfeiture over Which the Currency May Be Transferred to the Federal Government"

Amend the bill by striking out the title and substituting the following
'An Act Regarding the Transfer of Seized Currency to the Federal Government for Criminal Asset Forfeiture'

Amend the bill by striking out everything after the enacting clause and inserting the following.

'Sec. 1. 15 MRS §5821, last ¶, as enacted by PL 2021, c 454, §5, is amended to read

~~Unless seized property under this section includes United States currency in excess of \$100,000 in conjunction with a federal criminal case,~~ a law enforcement agency, prosecuting authority, state agency, county or municipality may not enter into an agreement to transfer or refer property seized under this section to a federal agency directly, indirectly, through adoption, through an intergovernmental joint task force or by other means that circumvent the provisions of this section '

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

SUMMARY

This amendment, which is the majority report of the committee, eliminates the requirement that seized currency exceed a certain amount before a state governmental agency, county or municipality may enter into an agreement to transfer or refer the seized currency to a federal agency and replaces it with a requirement that seized currency only be transferred or referred to a federal agency in conjunction with a federal criminal case

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 962

LR 1943(02)

**An Act to Lower the Amount of Seized Currency in a Criminal Asset Forfeiture over Which the
Currency May Be Transferred to the Federal Government**

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-84)
Committee: Judiciary
Fiscal Note Required: Yes

Fiscal Note

Potential current biennium revenue increase - Other Special Revenue Funds
Potential current biennium revenue increase - Municipalities and Counties

Fiscal Detail and Notes

Removing the requirement that seized currency exceed \$100,000 before it can be transferred by state prosecutors to a federal agency and replacing it with a requirement that seized currency can be transferred to a federal agency in conjunction with a federal criminal case could result in increased revenues to state, county and municipal law enforcement agencies by providing a mechanism for assets to be forfeited in a federal criminal case and distributed back to these entities