



costs of the public sale or public auction, court costs, and fees related to the seizure and storage of the personal property, and any proceeds remaining are to be distributed by the district attorney in the following manner:

- (1) 60% to the seizing agency or agencies in an equitable manner.
- (2) 20% to the prosecuting agency.
- (3) 20% to the criminal court fund of the parish in which the offender was prosecuted.

Present law provides that when the property is forfeited pursuant to the penalty provisions for the crimes of human trafficking, trafficking of children for sexual purposes, pornography involving juveniles, computer-aided solicitation of a minor, prostitution involving persons under eighteen, soliciting for prostitutes, inciting prostitution, promoting prostitution, pandering, letting premises for prostitution, enticing persons into prostitution, keeping a disorderly place, letting a disorderly place, and operation of places of prostitution, the proceeds of the public sale or public auction are to be applied first to any restitution granted to the victim, after the costs of the public sale or auction, court costs, and fees related to seizure and storage have been satisfied. Present law further provides that any remaining proceeds are to be distributed in the following manner:

- (1) 25% to the seizing agency or agencies allocated among the seizing agencies in proportion to their participation in the management of the investigation, seizure, and forfeiture.
- (2) 25% to the prosecuting agency.
- (3) 50% to the Exploited Children's Special Fund.

Proposed law retains present law and adds that, notwithstanding the foregoing provisions of present law, any forfeited currency, instruments, or securities obtained under the provisions of proposed law are to be deposited in a Special Asset Forfeiture Fund that is to be established within the Special District Attorney Asset Forfeiture Trust Fund provided for in present law. Proposed law further provides that the court is to ensure the equitable distribution of the fund under and subject to the provisions of proposed law to the appropriate local, state, or federal law enforcement agency so as to reflect generally the contribution of that agency's participation in any of the activity that led to the seizure or forfeiture of the currency, instruments, or securities. Proposed law further provides that the office of the district attorney is to administer expenditures from the fund. Proposed law further provides that the fund is subject to public audit.

Proposed law provides that the Special Asset Forfeiture Fund is to be distributed in the following order of priority:

- (1) For satisfaction of any bona fide security interest or lien.
- (2) Thereafter, for payment of all proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, and court costs.

- (3) The remaining funds are to be allocated as follows:
- (a) 60% to the law enforcement agency or agencies making the seizure, such proceeds to be used in human trafficking enforcement, including but not limited to reward programs established by such agencies.
  - (b) 20% to the criminal court fund.
  - (c) 20% to any district attorney's office employing the attorneys that handle the forfeiture action for the state, which is to be paid into the district attorney's 12% fund to be used for public purposes including, but not limited to use for prosecution, rewards, support, and continuing legal education.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:46.2(B)(4), 46.3(D)(3), 81.1(E)(5)(c) and (d), 82.1(D)(4), 83(B)(4), 83.1(B)(4), 83.2(B)(4), 84(B)(4), 85(B)(4), 86(B)(2) and (3), 104(B)(4), 105(B)(4), and 282(B)(4), and R.S. 15:539.1(A), (B)(1), (C), (D)(intro para), and (E); adds R.S. 15:539.1(F))