

2018 Regular Session

HOUSE BILL NO. 92

BY REPRESENTATIVE ZERINGUE

CRIMINAL/FORFEITURE: (Constitutional Amendment) Expands the type of property that may be forfeited and disposed of in a civil proceeding

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A JOINT RESOLUTION

Proposing to amend Article I, Section 4(D) of the Constitution of Louisiana, relative to property; to expand the type of property that may be forfeited and disposed of in a civil proceeding as provided by law; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article I, Section 4(D) of the Constitution of Louisiana, to read as follows:

§4. Right to Property

\* \* \*

(D) The following property may be forfeited and disposed of in a civil proceeding, as provided by law: contraband drugs; property derived in whole or in part from contraband drugs; property used in the distribution, transfer, sale, felony possession, manufacture, or transportation of contraband drugs; property furnished or intended to be furnished in exchange for contraband drugs; property used or intended to be used to facilitate any of the above conduct; or other property because the above-described property has been rendered unavailable. In addition, all property, immovable or movable, including money, used in the course of, intended



offenses) that occur within five years of each other and that have the same or similar intents, results, principals, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2018.

(Amends Const. Art. I, §4(D))