
DIGEST

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HB 92 Original

2018 Regular Session

Zeringue

Abstract: Expands the type of property that may be forfeited and disposed of in a civil proceeding, as provided by law, to include all property used or intended for use in the course of, derived from, or realized through a pattern of racketeering activity.

Present constitution authorizes the forfeiture and disposition of the following property 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.

Proposed constitutional amendment retains present constitution and expands the type of property that may be forfeited and disposed of in a civil proceeding, as provided by law, to include all property, immovable or movable, including money, used or intended for use in the course of, derived from, or realized through a pattern of racketeering activity.

"A pattern of racketeering activity" is defined by present law as engaging in at least two incidents of "racketeering activity" (which includes certain enumerated present law criminal 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))