The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka George.

DIGEST

SB 383 Original 2020 Regular Session Reese

Present law requires personal property to be forfeited following the conviction of certain sex crimes.

Present law requires the district attorney to conduct a public sale or public auction to sell or auction property forfeited following the conviction of certain sex crimes otherwise required by law to be destroyed.

Proposed law removes misdemeanor crimes and includes all felony sex offense crimes from the list of crimes for asset forfeiture.

Proposed law provides for the destruction of forfeited property upon motion of the district attorney, and after a contradictory hearing, that the seized property is no longer needed as evidence.

Present law provides that the proceeds received from the sale or auction of the forfeited property be used to pay the costs of the public sale or auction, court costs, and fees related to seizure and storage of the property. Present law further provides that the restitution granted to the victim be paid after the foregoing costs are satisfied.

Proposed law retains present law.

Effective August 1, 2020.

(Amends R.S. 15:539.1 and 539.3(A))