

CHAPTER 118
HB 1493 - FINAL VERSION

16Feb2022... 0085h

2022 SESSION

22-2503
08/04

HOUSE BILL ***1493***

AN ACT relative to the drug forfeiture fund.

SPONSORS: Rep. Sylvia, Belk. 6

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill requires the attorney general to include the drug forfeiture fund in an annual report.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the drug forfeiture fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 118:1 Drug Forfeiture Fund. Amend RSA 318-B:17-c, II-III to read as follows:

2 II. Law enforcement agencies may apply to the department of justice for grants from the forfeiture
3 fund. Such grants shall be utilized exclusively for meeting expenses associated with drug related
4 investigations. The attorney general shall report 60 days after the close of each fiscal year to the
5 governor and council and to the fiscal committee of the general court a detailed accounting of the grants
6 provided to law enforcement agencies under this paragraph by agency, including the department of
7 safety, and the amount forwarded to the department of health and human services, bureau of drug and
8 alcohol services, for the preceding fiscal year. ~~[The attorney general's report shall also include a detailed~~
9 ~~accounting of the costs of investigations, enforcement programs, and prosecutions paid under paragraph~~
10 ~~I.]~~

11 III. ***The attorney general shall report the receipts, expenditures, and balances and all other***
12 ***reporting elements of the drug forfeiture fund in the report on forfeiture activity required by RSA 617:12.***
13 ***The attorney general may exclude any information which would reveal the identity of an informant or***
14 ***compromise an ongoing investigation.***

15 IV. The attorney general ~~[shall]~~ ***may*** adopt rules, pursuant to RSA 541-A, relative to:

16 (a) The administration of the drug forfeiture fund.

17 (b) The grant application procedures and forms to be used by law enforcement agencies.

18 118:2 Report; Forfeitures of Personal Property. Amend RSA 617:12, I to read as follows:

19 I. The attorney general, no later than 120 days after the close of the fiscal year, shall post a
20 report on the department of justice website detailing state forfeiture activity, for the preceding fiscal year,
21 including the type, approximate value, and disposition of ~~[the]~~ ***each*** property seized, and the amount of
22 any proceeds received or expended at the state and local levels. The report shall provide a categorized
23 accounting of all proceeds expended. ~~[Summary]~~ Data on seizures, forfeitures, and expenditures of
24 forfeiture proceeds shall be provided by the law enforcement agency in disaggregated form to the attorney
25 general.

26 118:3 Repeal. RSA 318-B:17-f, relative to forfeiture reports, is repealed.

118:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 27, 2022
Effective Date: July 26, 2022