

Floor Amendment to HB 1627-FN-A

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT establishing an education freedom account program administrator in the department
4 of education and making an appropriation therefor, relative to the school meals
5 direct certification with Medicaid program, and relative to the forfeiture of personal
6 property.
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8 Amend the bill by replacing section 4 with the following:

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10 4 New Section; Forfeiture of Personal Property. Amend RSA 617 by inserting after section 12
11 the following new section:

12 617:13 Limiting Adoptions by the Federal Government of Property Seized Under State Law.

13 I. A state or local law enforcement agency shall not offer for transfer or adoption property,
14 seized under state law, to a federal agency for the purpose of forfeiture under the federal Controlled
15 Substances Act, Public Law 91-513.

16 II. Paragraph I shall only apply to a seizure by a state or local law enforcement agency
17 pursuant to its own authority under state law and without involvement of the federal government in
18 the seizure. Nothing in paragraph I shall be construed to limit state and local law enforcement
19 agencies from participating in a joint task force with the federal government.

20 III. The state or local law enforcement agency shall not accept payment of any kind or
21 distribution of forfeiture proceeds from the federal government if the state or local law enforcement
22 agency violates paragraph I. All proceeds received shall be transferred and deposited to the state's
23 general fund.

24 5 Effective Date.

25 I. Sections 1 and 2 of this act shall take effect July 1, 2022.

26 II. Section 4 of this act shall take effect January 1, 2023.

27 III. The remainder of this act shall take effect upon its passage.

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- Page 2 -

2022-1246h

AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position. The bill also requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program. This bill also limits the conditions under which seized property may be transferred to a federal agency.