

HOUSE BILL NO. HB0315

Forfeiture exemptions.

Sponsored by: Representative(s) Olsen, Brown, Lindholm and
Pelkey and Senator(s) Rothfuss

A BILL

for

1 AN ACT relating to the Wyoming Controlled Substance Act;
2 amending property forfeiture provisions; exempting property
3 from seizure and forfeiture as specified; and providing for
4 an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 35-7-1049(a)(intro), (b)(intro) and by
9 creating a new subsection (cc) is amended to read:

10

11 **35-7-1049. Forfeitures and seizures generally;**
12 **property subject to forfeiture.**

13

14 (a) Except as provided in subsection (cc), the
15 following are subject to forfeiture:

1

2 (b) Except as provided in subsection (cc), property
3 subject to forfeiture under this act may be seized by any law
4 enforcement officer of the state upon process issued by any
5 district court or district court commissioner having
6 jurisdiction over the property. Seizure without process may
7 be made if:

8

9 (cc) The following limitations to the seizure and
10 forfeiture of property under this section shall apply:

11

12 (i) A homestead, to the extent provided by W.S.
13 1-20-101 through 1-20-104, is exempt from seizure and
14 forfeiture;

15

16 (ii) A motor vehicle with a market value of less
17 than two thousand five hundred dollars (\$2,500.00) is exempt
18 from seizure and forfeiture;

19

20 (iii) United States currency is exempt from
21 seizure and forfeiture if the total amount is one thousand
22 dollars (\$1,000.00) or less;

23

1 (iv) The mere presence or possession of money,
2 securities or other negotiable instruments, without other
3 indicia of a violation of this act is insufficient probable
4 cause for seizure.

5

6 **Section 2.** This act is effective July 1, 2019.

7

8

(END)