

HOUSE BILL NO. HB0061

Roadside waiver of property rights prohibited.

Sponsored by: Representative(s) Pelkey, Barlow, Biteman, Blake, Connolly, Olsen and Wilson and Senator(s) Rothfuss

A BILL

for

1 AN ACT relating to the Wyoming Controlled Substances Act;
2 providing a procedure for a valid waiver of property
3 interest in seized property; and providing for an effective
4 date.

5

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

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

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

13

14 (bb) A law enforcement officer may not request,
15 require or in any manner induce any person to execute a

1 document purporting to waive, for purpose of forfeiture
2 under this section, the person's interest in or rights to
3 property seized, and provided:

4
5 (i) Any document obtained by a law enforcement
6 officer purporting to waive a person's interest in or right
7 to property seized under this section is null and void; and

8
9 (ii) Nothing in this subsection prohibits the
10 commissioner, after a hearing and a finding of probable
11 cause as required by subsection (c) of this section, from
12 requesting a person to waive the person's interest in or
13 rights to property.

14
15 **Section 2.** This act is effective July 1, 2018.

16
17 (END)