

249.12

ARTICLE 19

249.13

FORFEITURE TASK FORCE249.14 Section 1. **FORFEITURE REFORM TASK FORCE.**

249.15 **Subdivision 1. Establishment.** A task force on forfeiture reform is established to develop
 249.16 a comprehensive plan to reform procedures relating to the seizure and forfeiture of property
 249.17 associated with criminal activity in Minnesota, including proposals for model policies and
 249.18 legislative action. Proposed legislation and model policies must be consistent with the goals
 249.19 that no forfeiture be completed without sufficient proof of criminal activity; all owners have
 249.20 access to a meaningful hearing within a reasonable time after property is seized; the value
 249.21 of forfeited property is not excessive in relation to the underlying criminal offense; proceeds
 249.22 from forfeiture proceedings do not directly fund the entity that seized the property or
 249.23 represented the government agency in forfeiture proceedings; local law enforcement agencies
 249.24 are prohibited from circumventing state laws; and local law enforcement agencies have
 249.25 access to sufficient sources of funding that are not connected to forfeiture.

249.26 **Subd. 2. Membership.** (a) The task force consists of the following members:

249.27 (1) the commissioner of public safety or a designee;

249.28 (2) one chief of police appointed by the Minnesota Chiefs of Police Association;

249.29 (3) one sheriff appointed by the Minnesota Sheriffs' Association;

250.1 (4) two rank and file peace officers, at least one of whom must serve a jurisdiction outside
 250.2 the seven-county metropolitan area, appointed by the Minnesota Police and Peace Officers
 250.3 Association;

250.4 (5) one conservation officer appointed by the commissioner of natural resources;

250.5 (6) the superintendent of the Bureau of Criminal Apprehension or a designee;

250.6 (7) the state public defender or a designee;

250.7 (8) one defense attorney appointed by the Minnesota Association of Criminal Defense
 250.8 Lawyers;

250.9 (9) one county attorney appointed by the Minnesota County Attorneys Association;

250.10 (10) one member of the Violent Crime Coordinating Council appointed by the council's
 250.11 chair;

250.12 (11) one attorney representing the ACLU of Minnesota, appointed by its executive
 250.13 director;

250.14 (12) one attorney with a nonprofit public interest law firm focusing on property rights,
 250.15 free speech, educational choice, and economic liberty; and

- 250.16 (13) the director of the Office of Justice Programs or a designee.
- 250.17 (b) Unless otherwise specified, members shall be appointed by the commissioner of
 250.18 public safety. Appointments must be made no later than July 30, 2019.
- 250.19 (c) Members shall serve without compensation.
- 250.20 (d) Members of the task force serve at the pleasure of the appointing authority or until
 250.21 the task force expires. Vacancies shall be filled by the appointing authority consistent with
 250.22 the qualifications of the vacating member required by this subdivision.
- 250.23 Subd. 3. **Officers; meetings.** (a) The task force shall elect a chair and vice-chair and
 250.24 may elect other officers as necessary.
- 250.25 (b) The commissioner of public safety shall convene the first meeting of the task force
 250.26 no later than August 1, 2019, and shall provide meeting space and administrative assistance
 250.27 as necessary for the task force to conduct its work.
- 250.28 (c) The task force shall meet at least monthly, or upon the call of its chair. The task force
 250.29 shall meet sufficiently enough to accomplish the tasks identified in this section. Meetings
 250.30 of the task force are subject to Minnesota Statutes, chapter 13D.
- 250.31 Subd. 4. **Duties.** (a) The duties of the task force shall, at a minimum, include:
- 251.1 (1) reviewing current state laws relating to the forfeiture of property in connection with
 251.2 criminal activity;
- 251.3 (2) reviewing state and federal court decisions relating to forfeiture of property in
 251.4 connection with criminal activity;
- 251.5 (3) reviewing the financial impact of forfeiture on state and local law enforcement
 251.6 agencies;
- 251.7 (4) receiving input from individuals who had property seized pursuant to Minnesota's
 251.8 forfeiture laws;
- 251.9 (5) reviewing laws and policies adopted and proposed in other jurisdictions relating to
 251.10 forfeiture of property in connection with criminal activity; and
- 251.11 (6) developing proposed model policies and legislation which are consistent with the
 251.12 goals identified in subdivision 1.
- 251.13 (b) At its discretion, the task force may examine other related issues consistent with this
 251.14 section as necessary.
- 251.15 Subd. 5. **Report.** On or before February 15, 2020, the task force shall report to the chairs
 251.16 and ranking minority members of the legislative committees and divisions with jurisdiction
 251.17 over public safety finance and policy on the work of the task force. The report shall include
 251.18 proposed model policies and legislation.

- 251.19 Subd. 6. **Expiration.** This task force expires upon submission of the report required
251.20 under subdivision 5.
- 251.21 **EFFECTIVE DATE.** This article is effective July 1, 2019.