

State Government

HB 1186

Brief Description: Designating the Washington national guard's counterdrug task force as a law enforcement agency for the purposes of participating in the federal asset forfeiture program.

Sponsors: Representatives O'Brien, Lambert, G. Chandler, Casada, Quall, Delvin, Talcott, Reardon, Veloria, Schoesler, Esser, Haigh, Morell, Darneille and D. Schmidt ; by request of Military Department.

Brief Summary of Bill

- *Designates the Washington National Guard's Counterdrug Task Force a law enforcement agency for the limited purpose of receiving property seized in federal drug investigations.*

Hearing Date: 2/7/01

Staff: Jim Morishima (786-7191).

Background:

Federal law allows federal agencies to seize property used in connection with the illegal manufacture or distribution of controlled substances. The United States Attorney General (USAG) may transfer such property to any state or local law enforcement agency that participated in the seizure. The property so transferred must bear a reasonable relationship to the degree of the state or local law enforcement agency's participation in the seizure.

State agencies receiving funds from the USAG must promptly deposit them into the public safety and education account. All other property received from the USAG may be used for any purpose permitted by state and federal law.

The Washington National Guard Counterdrug Task Force is a component of the Washington National Guard. The Task Force assists federal agencies in counter-drug activities by supplying personnel and equipment.

Summary of Bill:

The Counterdrug Task Force is designated a law enforcement agency for the limited and specific purpose of receiving seized property from the USAG. The National Guard must use the proceeds in accordance with federal laws and regulations. The National Guard is not granted any new law enforcement powers, duties, or obligations. Also, no new rights, obligations, or benefits are created for pensions, funding, or liabilities afforded to existing law enforcement agencies.

Rulemaking Authority: *No express authority.*

Effective Date: *Ninety days after adjournment of session in which bill is passed.*

Appropriation: *None.*

Fiscal Note: *Available.*