
HOUSE BILL 1186

State of Washington

57th Legislature

2001 Regular Session

By 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

Read first time 01/19/2001. Referred to Committee on State Government.

1 AN ACT Relating to the Washington national guard; adding a new
2 section to chapter 38.08 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The Washington national guard's counterdrug
5 task force has been assisting local, state, and federal agencies in
6 state-wide counternarcotic efforts for the last ten years. The
7 counterdrug task force supplies trained personnel and specialized
8 equipment to support these antidrug efforts.

9 The federal government is authorized to seize property used in
10 connection with the illegal manufacture or distribution of controlled
11 substances under the federal asset forfeiture program. The departments
12 of justice and treasury are authorized by federal statute to transfer
13 this seized property to any state or local law enforcement agency that
14 participated in the seizure of the property. However, in order to be
15 eligible to receive the property, the state or local agency that
16 participated in the seizure must be deemed a law enforcement agency.

17 The purpose of this act is to recognize the Washington national
18 guard's counterdrug task force as a law enforcement agency strictly for

1 the purposes of allowing the counterdrug task force to receive an
2 equitable share of proceeds under the federal asset forfeiture program.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 38.08 RCW
4 to read as follows:

5 For the limited and specific purpose of receiving an equitable
6 share of proceeds under the federal asset forfeiture program (21 U.S.C.
7 Sec. 881 et seq.), the Washington national guard's counterdrug task
8 force is considered a law enforcement agency. All proceeds received by
9 the Washington national guard counterdrug task force under the federal
10 asset forfeiture program must be spent in accordance with federal laws
11 and regulations.

12 Nothing in this section creates any new law enforcement powers,
13 duties, or obligations for the Washington national guard or the
14 counterdrug task force. Nothing in this section creates any new
15 rights, obligations, or benefits for pensions, funding, or liabilities
16 afforded existing law enforcement agencies.

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