

# Wyoming Liberty Index

## 62<sup>nd</sup> Wyoming Legislature ★ 2014 Budget Session

### **HB0076, Property forfeitures and seizures.**

Sponsors: Representative(s) Kroeker, Baker, Gingery, Hutchings, Jaggi, Loucks, McKim, Miller, Reeder and Watt and Senator(s) Case

Aye votes: Representatives Baker, Barlow, Berger, Blake, Blevins, Blikre, Brown, Burkhart, Byrd, Campbell, Cannady, Coleman, Connolly, Davison, Eklund, Esquibel, K., Filer, Freeman, Gay, Gingery, Goggles, Greear, Greene, Halverson, Harshman, Harvey, Hunt, Hutchings, Jaggi, Kasperik, Kirkbride, Kroeker, Krone, Larsen, Loucks, Lubnau, Madden, Mader, McKim, Miller, Moniz, Nicholas, B., Northrup, Patton, Paxton, Petroff, Piiparinen, Reeder, Semlek, Sommers, Stubson, Teeters, Throne, Watt, Wilson, Winters, Zwonitzer, Dn. and Zwonitzer, Dv.

Nay votes: Representatives Walters

#### **Comments**

Tightens considerably the standard for asset forfeiture to "clear and convincing". While Wyoming has a good reputation for asset forfeiture, this change would prevent future abuses. Also, Wyoming could improve its reporting so we would have a better idea how justified Wyoming's reputation really is.

U: There would be an indeterminable revenue decrease to the Attorney General's Office to their Undistributed Attorney General Fund, which would result in a likely corresponding expenditure increase out of another fund. An effort to improve compliance with Amendment V to the US Constitution: "...nor shall any person...be deprived of...property, without due process of law." To those government criminals who would profit from the hair-splitting interpretation of this Amendment, this bill will be anathema. However, honest citizens would almost unanimously say that such taking could only happen after a jury had returned a verdict of "guilty" and their verdict had been upheld thru the judicial appellate system. Governmental centralization is always inimical to Liberty. Ignoring the provisions of the Constitutions of the USA or of the State of Wyoming almost always promotes the centralization of governmental power and damages Liberty.

Weighted Rating: 2.50. Unweighted Rating: 1.00.

#### **Categories**

General Government, Individual Rights, Limited Government, and Spirit and Letter of Founding Documents

For more information on the categories:

<http://wyominglibertyindex.info/2014/methodology.html#thecategories>

#### **Document Status**

Final