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Senate

State of Minnesota

S.F. No. 4318 – Civil asset forfeiture; service of complaints

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In the 2021 session, the legislature passed several changes to laws governing civil asset forfeiture and provided similar procedures for forfeitures related to DWIs and controlled substances seizures. The provisions passed in 2021 were not identical with respect to how certain conciliation court complaints challenging forfeiture should be served.

S.F. 4318 clarifies that, for both DWI and controlled substances forfeitures, a statement of claim and any other pleading or filing made in conciliation court may be served and filed as permitted by the Rules of Conciliation Court Procedure. Additionally, this bill provides that for controlled substance forfeitures, a copy of the statement of claim may be served personally or as permitted by the rules on the prosecuting authority with jurisdiction within 60 days following service of notice. This provision mirrors a provision in current law governing DWI forfeitures.

This bill is effective the day following final enactment.