

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB26-1250 be amended as follows:

1 Amend printed bill, page 11, after line 10, insert:

2 "(c) (I) ON OR BEFORE SEPTEMBER 1, 2026, THE ADMINISTRATOR
3 SHALL ENTER INTO A SERVICE AGREEMENT WITH A PRIVATE CONTRACTOR
4 WHO REGULARLY PROVIDES LEGAL SERVICES FOR INDIGENT CLIENTS OR
5 LITIGANTS TO PROVIDE A LEGAL DEFENSE TO A CIVIL ASSET FORFEITURE
6 PROCEEDING OR TO CONTRACT WITH AN ATTORNEY TO PROVIDE A LEGAL
7 DEFENSE TO A CIVIL ASSET FORFEITURE PROCEEDING.

8 (II) UPON ENTERING INTO AN AGREEMENT WITH A PRIVATE
9 CONTRACTOR, AND ON JULY 1 OF EACH YEAR THEREAFTER, THE
10 ADMINISTRATOR SHALL DISTRIBUTE THE UNENCUMBERED MONEY IN THE
11 FUND TO THE PRIVATE CONTRACTOR.

12 (III) THE PRIVATE CONTRACTOR SHALL MAINTAIN A LIST OF
13 QUALIFIED ATTORNEYS THAT THE PRIVATE CONTRACTOR MAY PROVIDE OR
14 CONTRACT WITH TO REPRESENT INDIGENT FORFEITURE DEFENDANTS. THE
15 PRIVATE CONTRACTOR SHALL UPDATE AND PROVIDE THE LIST FOR THE
16 ADMINISTRATOR OF CONTRACTED ATTORNEYS ON AN ANNUAL BASIS.

17 (d) UPON REQUEST OF A FORFEITURE DEFENDANT, THE PRIVATE
18 CONTRACTOR SHALL APPOINT A FORFEITURE DEFENSE COUNSEL FOR THE
19 FORFEITURE DEFENDANT. THE PRIVATE CONTRACTOR SHALL ROTATE THE
20 ATTORNEYS, AS MUCH AS IS PRACTICABLE, TO DISTRIBUTE FORFEITURE
21 DEFENSE COUNSEL CASES EVENLY AMONG QUALIFYING ATTORNEYS
22 SELECTED BY THE PRIVATE CONTRACTOR.

23 (e) THE PRIVATE CONTRACTOR MAY RETAIN UNSPENT MONEY AT
24 THE END OF A BUDGET YEAR FOR THE PURPOSES OF PROVIDING A LEGAL
25 DEFENSE TO A CIVIL ASSET FORFEITURE PROCEEDING PURSUANT TO THIS
26 SECTION.

27 (f) IF THERE IS ANY UNSPENT MONEY AT THE END OF THE SERVICE
28 AGREEMENT, THE PRIVATE CONTRACTOR SHALL RETURN THE UNSPENT
29 MONEY TO THE ADMINISTRATOR. THE ADMINISTRATOR SHALL TRANSMIT
30 ALL MONEY RECEIVED FROM THE PRIVATE CONTRACTOR TO THE STATE
31 TREASURER, WHO SHALL CREDIT THE MONEY TO THE FUND.

32 (4) ON OR BEFORE MARCH 1, 2027, AND ON OR BEFORE OCTOBER
33 1, 2027, AND EACH OCTOBER 1 THEREAFTER, THE PRIVATE CONTRACTOR
34 SHALL REPORT TO THE ADMINISTRATOR THE FOLLOWING:

35 (a) THE NUMBER OF ATTORNEYS APPOINTED PURSUANT TO THIS
36 SECTION;

37 (b) THE COSTS ASSOCIATED WITH EACH CASE;

38 (c) ANY CHALLENGES OR DIFFICULTIES IN RETAINING ATTORNEYS
39 TO SERVE AS APPOINTED FORFEITURE DEFENSE COUNSEL; AND

40 (d) THE AMOUNT OF UNSPENT MONEY THE PRIVATE CONTRACTOR
41 RETAINS AT THE END OF THE BUDGET YEAR."

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