HOUSE DOCKET, NO. 3218 FILED ON: 1/16/2025

HOUSE . . . . . No. 1990

The Commonwealth of Massachusetts

PRESENTED BY:

Danillo A. Sena and Carlos González

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to civil asset forfeiture transparency and data reporting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Danillo A. Sena	*37th Middlesex*	*1/16/2025*
Carlos González	*10th Hampden*	*1/16/2025*

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HOUSE . . . . . No. 1990

By Representatives Sena of Acton and González of Springfield, a petition (accompanied by bill, House, No. 1990) of Danillo A. Sena and Carlos González relative to civil asset forfeiture transparency and data reporting. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1762* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to civil asset forfeiture transparency and data reporting.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: Section 24W of chapter 90 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following subsections:-

(g) The attorney general, each district attorney and each police department shall file an annual report with the executive office for administration and finance, the senate and house committees on ways and means and the joint committee on the judiciary detailing all assets, money and proceeds from the sale of assets seized pursuant to this section. The report shall provide an itemized accounting for each seizure and forfeiture as required by section 47 of chapter 94C. The report shall be filed not later than January 31 for the preceding calendar year and shall be a public record.

10 SECTION 2: Section 47 of chapter 94C of the General Laws, as appearing in the 2020
11 Official Edition is hereby amended by adding the following 2 subsections:-

12 (m) The executive office of administration and finance shall establish and maintain a case
13 tracking system and searchable public website that includes the following information about any
14 property seized or forfeited under state law: (i) the name of the law enforcement agency that
15 seized the property; (ii) the date of the seizure; (iii) the type and a description of the property
16 seized, including the make, model and year of any motor vehicle; (iv) the zip code of location of
17 the seizure; (v) the estimated value of the property seized; (vi) whether the property seized was
18 transferred to federal government; (vii) the crime charged, if any, related to the property that was
19 seized; (viii) the outcome of any charged crime under clause (vii); (ix) the criminal case number,
20 if charged; (x) the forfeiture case number; (xi) the type of forfeiture proceeding; (xii) whether a
21 property owner who files a claim or counterclaim, if applicable, was suspected of committing a
22 crime, an owner who was not suspected of committing a crime, a lienholder or another party or
23 whether there was no such filing by any party; (xiii) whether there was a default judgment,
24 forfeiture settlement or consent agreement; (xiv) the date of the forfeiture order; (xv) whether the
25 property was returned to the owner, partially returned to the owner, sold, destroyed or retained
26 by a law enforcement agency or is pending disposition; and (xvi) the total value of property
27 forfeited, including currency and proceeds from the sale of property, excluding the value of
28 contraband. Nothing in this subsection shall allow for the publication of information in violation
29 of any law or regulation relating to criminal offender record information or personally
30 identifiable information, or any other applicable privacy law. If an agency has made no seizures
31 or forfeitures during the previous year, a null report shall be filed by the agency specifying that it

32 did not engage in seizures or forfeitures during the reporting period. The executive office may
33 adopt rules necessary to implement this subsection.

34 (n) Annually, not later than January 31, the committee on public counsel services, in
35 collaboration with the trial court of the commonwealth, shall submit an annual report to the
36 senate and house committees on ways and means and the joint committee on the judiciary on the
37 provision of public counsel representation under this section, including, but not limited to, the:
38 (i) total number of cases involving public counsel representation under this section; (ii) number
39 of such cases where the property owner is a criminal defendant represented by public counsel in
40 a related criminal trial; and (iii) number of such cases where the property owner is not a criminal
41 defendant.”.

42 SECTION 3. Section 56 of chapter 265 of the General Laws, as so appearing in the 2020
43 Official Edition, is hereby amended by adding the following subsections:-

44 (k) The attorney general, each district attorney and each police department shall file an
45 annual report with the executive office for administration and finance, the senate and house
46 committees on ways and means and the joint committee on the judiciary detailing all assets,
47 money and proceeds from the sale of assets seized pursuant to this section. The report shall
48 provide an itemized accounting for each seizure and forfeiture as required by section 47 of
49 chapter 94C. The report shall be filed not later than January 31 for the preceding calendar year
50 and shall be a public record.