

481A.13A Conviction required for property confiscation — return of property.

1. The state shall not confiscate property seized under [section 481A.12](#) or [481A.13](#) unless the person from whom the property was seized is convicted of the violation for which the property was seized. However, the state shall not return any fish or wildlife that is illegal to possess, including fish or wildlife that was taken, possessed, or transported unlawfully.

2. If the person from whom the property was seized is not convicted of the violation for which the property was seized, the department, law enforcement agency, or other governmental agency in possession of the seized property shall return the seized property to the person within thirty days of any of the following:

a. The date the person is found not guilty of the violation.

b. The date the action involving the violation is dismissed.

c. The date the statute of limitations expires for the alleged violation for which the property was seized.

3. For purposes of [this section](#), “*convicted*” includes a finding of guilt, payment of a scheduled fine, a plea of guilty, deferred judgment, deferred or suspended sentence, adjudication of delinquency, or circumstance where a person is not charged with a criminal offense related to the violation based in whole or in part on the person’s agreement to provide information regarding the criminal activity of another person.

[2018 Acts, ch 1150, §4](#)

Referred to in [§481A.11](#), [481A.13](#), [483A.32](#), [483A.33](#)