

CHAPTER 10
FORFEITED PROPERTY

[Prior to 12/31/86, Conservation Commission[290] Ch 116]

[Prior to 9/21/88, Natural Resource Commission[571] Ch 8]

571—10.1(809) Purpose. The purpose of this chapter is to set forth the policy and procedures to be followed and the criteria to be utilized by the Iowa department of natural resources officers when they are determining the disposition of seized or forfeitable property.

571—10.2(809) Definitions.

“*Department*” means the Iowa department of natural resources.

“*Director*” means the director of the department.

“*District supervisor*” means a supervisor of the law enforcement bureau of the fish and wildlife division or of the parks bureau of the parks, recreation and preserves division of the department.

“*Forfeitable property*” means any of the following:

1. Property which is illegally possessed;
2. Property which has been used or is intended to be used to facilitate the commission of a criminal offense or to avoid detection or apprehension of a person committing a criminal offense;
3. Property which is acquired as or from the proceeds of a criminal offense;
4. Property offered or given to another as an inducement for the commission of a criminal offense.

“*Officer*” means any full-time conservation officer appointed by the director.

571—10.3(809) Jurisdiction. Forfeitable property may be seized by a conservation officer whenever and wherever the property is found within this state.

571—10.4(809) Supervisor approval. Conservation officers taking custody of forfeitable property or serving upon the person in possession of the property a notice of forfeiture shall contact a district supervisor if the conservation officer estimates the value of the property exceeds \$50.

571—10.5(809) Disposition of general property. Forfeited property may be sold at a department-administered annual public sale. Forfeited property may be used by the department. The director may give, sell or trade property to any other state agency or to any other agency within the state.

571—10.6(809) Disposition of weapons. All legal weapons will be sold at the department’s annual sale or the director may transfer illegal or legal weapons to the department of public safety for disposal in accordance with Iowa Code sections 809.13 and 809.21.

571—10.7(809) Property destroyed. Forfeitable property of no value to the department, the possession of which is illegal, that poses an imminent danger to a person’s health, safety, or welfare, or that poses a significant hazard to the state’s natural resources may be destroyed.

571—10.8(809) Disposition of furs. Forfeitable furs not needed by the department will be offered to the licensed fur dealers in the form of direct sale, an auction or sealed bid process whenever the director determines the number and value of forfeited furs warrants such a process.

These rules are intended to implement Iowa Code chapter 809.

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