

House File 132 - Introduced

HOUSE FILE 132
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 7)

A BILL FOR

1 An Act relating to an application for the immediate return of
2 seized property.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 809.3, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. The application shall be signed by the
4 claimant under penalty of perjury.

5 EXPLANATION

6 This bill relates to an application for the immediate return
7 of seized property under Code chapter 809.

8 Current law provides that any person claiming a right to
9 immediate possession of seized property may make an application
10 for the return of the seized property in the office of the
11 clerk of court for the county in which the property was seized.
12 The application must state the specific item or items sought,
13 the nature of the claimant's interest in the property, and the
14 grounds upon which the claimant seeks to have the property
15 immediately returned. "Seized property" means property taken
16 or held by any law enforcement agency without the consent of
17 the person, if any, who had possession or a right to possession
18 of the property at the time it was taken into custody.

19 The bill requires that the claimant sign the application
20 under penalty of perjury.