



**House
Legislative
Analysis
Section**

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**TERRORISM: ALLOW SEIZURE AND
FORFEITURE OF PROPERTY**

House Bill 5513

Sponsor: Rep. Charles LaSata

**Committee: Insurance and Financial
Services**

Complete to 1-16-02

A SUMMARY OF HOUSE BILL 5513 AS INTRODUCED 12-12-01

Michigan law provides for the forfeiture to the government of property used for or obtained through the commission of any of some 60 crimes, including arson, bribery, burglary, embezzlement, securities fraud, larceny, robbery, Medicaid fraud, and distribution of obscene material to a minor. The bill would amend the Revised Judicature Act (RJA) to add a violation of Chapter LXXXIII-A of the Michigan Penal Code, regarding acts of terrorism, to the definition of a "crime" for which property could be forfeited. (Chapter LXXXIII-A would be added to the penal code by House Bill 5495 or Senate Bill 930.)

The RJA allows certain personal and real property to be subject to seizure by, and forfeiture to, a local unit of government or the state. In addition to what is currently allowed, if the crime was an act of terrorism in violation of Chapter LXXXIII-A of the penal code, real or personal property meeting any of the following conditions would also be subject to seizure and forfeiture:

- The property was used or was intended to be used in the commission of the crime;
- The property provided, or was intended to provide, material support or resources for the commission of the crime;
- The property was used in the preparation of the crime;
- The property was used to conceal the crime;
- The property was used to escape from the scene of the crime; or,
- The property was used to conceal the identity of one or more of the individuals who committed the crime.

MCL 600.4700 and 600.4702

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