

HR 5283

DUE PROCESS Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: May 19, 2016

Current Status: Placed on the Union Calendar, Calendar No. 702.

Latest Action: Placed on the Union Calendar, Calendar No. 702. (Dec 23, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/5283>

Sponsor

Name: Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

Party: Republican • **State:** WI • **Chamber:** House

Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Chabot, Steve [R-OH-1]	R · OH		May 19, 2016
Rep. Chaffetz, Jason [R-UT-3]	R · UT		May 19, 2016
Rep. Cohen, Steve [D-TN-9]	D · TN		May 19, 2016
Rep. Collins, Doug [R-GA-9]	R · GA		May 19, 2016
Rep. Conyers, John, Jr. [D-MI-13]	D · MI		May 19, 2016
Rep. Forbes, J. Randy [R-VA-4]	R · VA		May 19, 2016
Rep. Franks, Trent [R-AZ-8]	R · AZ		May 19, 2016
Rep. Goodlatte, Bob [R-VA-6]	R · VA		May 19, 2016
Rep. Issa, Darrell E. [R-CA-49]	R · CA		May 19, 2016
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		May 19, 2016
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		May 19, 2016
Rep. Jordan, Jim [R-OH-4]	R · OH		May 19, 2016
Rep. Richmond, Cedric L. [D-LA-2]	D · LA		May 19, 2016
Rep. Roskam, Peter J. [R-IL-6]	R · IL		May 19, 2016
Rep. Trott, David A. [R-MI-11]	R · MI		May 19, 2016
Rep. Walberg, Tim [R-MI-7]	R · MI		May 19, 2016
Rep. Walters, Mimi [R-CA-45]	R · CA		May 19, 2016
Rep. Labrador, Raul R. [R-ID-1]	R · ID		May 23, 2016
Rep. Nadler, Jerrold [D-NY-10]	D · NY		May 24, 2016
Rep. Harris, Andy [R-MD-1]	R · MD		Jun 3, 2016
Rep. Bishop, Mike [R-MI-8]	R · MI		Jun 10, 2016
Rep. Scott, Robert C. "Bobby" [D-VA-3]	D · VA		Jun 10, 2016
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Jul 8, 2016
Rep. Lewis, John [D-GA-5]	D · GA		Jul 8, 2016

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Discharged From	Dec 23, 2016
Financial Services Committee	House	Discharged From	Dec 23, 2016
Judiciary Committee	House	Reported By	Dec 23, 2016

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
114 S 3045	Related bill	Jun 9, 2016: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S3723)

Summary (as of Dec 23, 2016)

DUE PROCESS Act of 2016 or the Deterring Undue Enforcement by Protecting Rights of Citizens from Excessive Searches and Seizures Act of 2016

This bill amends the federal criminal code to revise provisions related to federal civil forfeiture cases. Specifically, the bill:

- raises the evidentiary standard in such cases from "preponderance of the evidence" to "clear and convincing evidence";
- with respect to property owners who are indigent, provides for the appointment of counsel;
- provides for recovery of attorney's fees with respect to settled claims in which the claimant prevails;
- adds specified notice requirements; and
- expedites and otherwise modifies certain procedures.

The Department of Justice must: (1) annually audit federal civil forfeiture cases, and (2) establish a publicly available database with respect to seizures in such cases.

Actions Timeline

- **Dec 23, 2016:** Reported (Amended) by the Committee on Judiciary. H. Rept. 114-892, Part I.
- **Dec 23, 2016:** Committee on Financial Services discharged.
- **Dec 23, 2016:** Committee on Energy and Commerce discharged.
- **Dec 23, 2016:** Placed on the Union Calendar, Calendar No. 702.
- **May 25, 2016:** Committee Consideration and Mark-up Session Held.
- **May 25, 2016:** Ordered to be Reported (Amended) by Voice Vote.
- **May 19, 2016:** Introduced in House
- **May 19, 2016:** Referred to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.