

S 263

FAIR Act of 2025

Congress: 119 (2025–2027, Current)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jan 27, 2025

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Jan 27, 2025)

Official Text: <https://www.congress.gov/bill/119th-congress/senate-bill/263>

Sponsor

Name: Sen. Paul, Rand [R-KY]

Party: Republican • State: KY • Chamber: Senate

Cosponsors (8 total)

| Cosponsor | Party / State | Role | Date Joined |
|---------------------------------|---------------|------|--------------|
| Sen. Booker, Cory A. [D-NJ] | D · NJ | | Jan 27, 2025 |
| Sen. Crapo, Mike [R-ID] | R · ID | | Jan 27, 2025 |
| Sen. King, Angus S., Jr. [I-ME] | I · ME | | Jan 27, 2025 |
| Sen. Lee, Mike [R-UT] | R · UT | | Jan 27, 2025 |
| Sen. Lummis, Cynthia M. [R-WY] | R · WY | | Jan 27, 2025 |
| Sen. Van Hollen, Chris [D-MD] | D · MD | | Jan 27, 2025 |
| Sen. Welch, Peter [D-VT] | D · VT | | Jan 27, 2025 |
| Sen. Wyden, Ron [D-OR] | D · OR | | Jan 27, 2025 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | Senate | Referred To | Jan 27, 2025 |

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Fifth Amendment Integrity Restoration Act of 2025 or the FAIR Act of 2025

This bill establishes more stringent requirements for the federal government with respect to civil asset forfeiture. *Civil asset forfeiture* generally refers to the seizure and forfeiture of property in connection with federal crimes.

Specifically, the bill makes various changes to the general rules governing civil forfeiture proceedings. Among the changes, the bill

- generally requires the government to notify interested parties within 7 days (currently, 60 days) of a seizure,
- requires an indigent property owner to be represented by counsel regardless of whether the owner requests counsel,
- requires the government to meet a higher evidentiary standard in order to prove that seized property is connected to a crime, and
- expands the factors courts must consider in determining whether a forfeiture of property is constitutionally excessive.

Additionally, the bill eliminates statutory authority for equitable sharing (i.e., sharing of federally forfeited assets with state, local, or tribal law enforcement agencies that participate in law enforcement efforts resulting in a forfeiture). It directs forfeiture proceeds to be deposited into the general fund of the Treasury instead of the Department of Justice (DOJ) Assets Forfeiture Fund.

The bill requires a prompt probable cause hearing following the seizure of money involved in a structuring offense (i.e., structuring currency transactions to evade currency reporting requirements).

Finally, the bill requires the annual report on deposits to the DOJ Assets Forfeiture Fund to specify total deposits from each type of forfeiture.

Actions Timeline

- **Jan 27, 2025:** Introduced in Senate
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