

## AMENDMENTS TO SENATE BILL NO. 8

Sponsor: SENATOR STREET

Printer's No. 719

1 Amend Bill, page 25, by inserting between lines 15 and 16

2 5806.3. Representation.

3 Amend Bill, page 46, by inserting between lines 27 and 28

4 \$ 5806.3. Representation.

5 Notwithstanding the act of December 2, 1968 (P.L.1144,  
6 No.358), known as the Public Defender Act, the following shall  
7 apply:

8 (1) If a person with standing to contest the forfeiture  
9 of property in a civil forfeiture proceeding under this  
10 chapter is financially unable to obtain representation by an  
11 attorney and the property subject to forfeiture is real  
12 property, the court, at the request of the person, shall  
13 ensure that the person is represented by an attorney with  
14 respect to the claim.

15 (2) If a person who has not been charged in a related  
16 criminal case and who has standing to contest the forfeiture  
17 of property in a civil forfeiture proceeding under this  
18 chapter is financially unable to obtain representation by an  
19 attorney, the court may authorize an attorney to represent  
20 that person with respect to the claim.

21 (3) In determining whether to authorize an attorney to  
22 represent a person under this section, the court shall take  
23 into account the following factors:

24 (i) the person's standing to contest the forfeiture;  
25 and

26 (ii) whether the claim appears to be made in good  
27 faith.