

AMENDMENTS TO SENATE BILL NO. 8

Sponsor: SENATOR STREET

Printer's No. 719

1 Amend Bill, page 32, lines 21 through 30; page 33, lines 1
2 through 30; page 34, lines 1 through 14; by striking out all of
3 said lines on said pages and inserting

4 (f) Use of property held in custody.--

5 (1) Whenever property is forfeited under this chapter
6 and after all proceedings under sections 5805 (relating to
7 forfeiture procedure) and 5806 (relating to motion for return
8 of property) are concluded, the property shall be transferred
9 to the custody of the Attorney General if the law enforcement
10 authority seizing the property has Statewide jurisdiction, or
11 the district attorney if the law enforcement authority
12 seizing the property has local or county jurisdiction.

13 (2) The Attorney General or district attorney, as
14 applicable, shall sell any forfeited property that is not
15 required to be destroyed by law and is not harmful to the
16 public.

17 (3) Sale of forfeited property to an employee of the
18 Attorney General or district attorney or a person related to
19 the employee by blood or marriage or an employee of any other
20 law enforcement authority is prohibited.

21 (4) The proceeds from sale shall be used to pay all
22 reasonable expenses related to the maintenance of custody and
23 sale of the property. The balance of the proceeds shall be
24 subject to subsection (g).

25 (g) Use of cash or proceeds or property.--Cash or proceeds
26 of forfeited property transferred under subsection (f) shall be
27 distributed in the following order:

28 (1) To satisfy any restitution orders for victims of the
29 underlying offense.

30 (2) One of the following:

31 (i) if in the custody of the Attorney General, to
32 the Department of Revenue for deposit into the General
33 Fund; or

34 (ii) if in the custody of the district attorney, to
35 the operating fund of the county in which the district
36 attorney is elected.

1 Amend Bill, page 34, line 15, by striking out "(j)" and
2 inserting

3 (h)

4 Amend Bill, page 35, line 9, by striking out "(k)" and
5 inserting

6 (i)

7 Amend Bill, page 35, line 18, by striking out "(j)" and
8 inserting

9 (h)

10 Amend Bill, page 35, line 25, by striking out "(k.1)" and
11 inserting

12 (j)

13 Amend Bill, page 35, line 30, by striking out "(j)" and
14 inserting

15 (h)

16 Amend Bill, page 36, line 1, by striking out "(l)" and
17 inserting

18 (k)

19 Amend Bill, page 47, line 17, by striking out "5803(j)" and
20 inserting

21 5803(h)