

HB0360/703528/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 360
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “establishing a certain minimum amount of money that is subject to forfeiture in connection with a controlled dangerous substance violation under certain circumstances;”; in line 11, after “knowledge;” insert “requiring a certain seizing authority to send certain information to the owner of certain property at a certain time;”; in line 13, strike “a”; in the same line, strike “exception” and substitute “exceptions”; and strike beginning with “requiring” in line 17 down through “to” in line 23.

On page 2, strike beginning with “develop” in line 1 down through “Act;” in line 16; and strike line 25 in its entirety and substitute “Section 12-104 and 12-212”.

AMENDMENT NO. 2

On page 3, in line 9, after “money” insert “**OF MORE THAN \$300**”; after line 12, insert:

“(7) SUBJECT TO SUBSECTION (B) OF THIS SECTION, ANY AMOUNT OF MONEY THAT IS DIRECTLY CONNECTED TO THE UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE;”;

and in lines 13, 14, 15, 18, and 19, strike “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively, and substitute “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, and “**(12)**”, respectively.

AMENDMENT NO. 3

On page 4, in line 6, strike “§ 12-102(a)(4), (10), and (11)” and substitute “**§ 12-102(A)(4), (11), AND (12)**”; after line 9, insert:

(Over)

“12-104.

(A) WITHIN 30 DAYS AFTER THE SEIZURE OF PROPERTY BY A SEIZING AUTHORITY, THE SEIZING AUTHORITY SHALL SEND BY FIRST-CLASS MAIL WRITTEN INFORMATION TO THE OWNER OF THE SEIZED PROPERTY, IF KNOWN, PROVIDING:

(1) THE LOCATION AND DESCRIPTION OF THE SEIZED PROPERTY;
AND

(2) THE NAME AND CONTACT INFORMATION OF AN INDIVIDUAL OR OFFICE WITHIN THE SEIZING AUTHORITY THAT CAN PROVIDE FURTHER INFORMATION CONCERNING THE SEIZED PROPERTY, INCLUDING INFORMATION ON HOW THE PROPERTY MAY BE RETURNED TO THE OWNER.

(B) THE WRITTEN INFORMATION REQUIRED UNDER THIS SECTION SHALL STATE: “SEIZURE AND FORFEITURE OF PROPERTY IS A LEGAL MATTER. NOTHING IN THIS DOCUMENT MAY BE CONSTRUED AS LEGAL ADVICE. YOU MAY WISH TO CONSULT AN ATTORNEY CONCERNING THIS MATTER”.”;

in line 10, strike “12-211.” and substitute “12-212.”; and strike beginning with the first “THE” in line 13 down through “LAW” in line 14 and substitute “:

(1) A CRIMINAL CASE RELATED TO THE SEIZURE IS PROSECUTED IN THE FEDERAL COURT SYSTEM UNDER FEDERAL LAW; OR

(2) THE OWNER OF THE PROPERTY CONSENTS TO THE FORFEITURE”.

AMENDMENT NO. 4

On pages 5 through 9, strike in their entirety the lines beginning with line 11 on page 5 through line 14 on page 9, inclusive.

AMENDMENT NO. 5

On page 9, in line 15, strike “3.” and substitute “2.”; and strike beginning with “Section” in line 16 down through “effect.” in line 18.