

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB24-1023 be amended as follows:

- 1 Amend printed bill, page 2, after line 10, insert the following:
2 "(II) THE PLAINTIFF PERFORMS A REASONABLE SEARCH OF VEHICLE
3 REGISTRATIONS, PROPERTY RECORDS, AND OTHER PUBLIC RECORDS TO
4 IDENTIFY ANY PERSON, OTHER THAN A DEFENDANT WHO IS SHOWN TO
5 HAVE AN INTEREST IN THE SEIZED PROPERTY SUBJECT TO FORFEITURE AND
6 GIVES NOTICE OF THE FILING OF THE COMPLAINT TO ANY PERSON WHO IS
7 SHOWN TO HAVE AN INTEREST IN THE PROPERTY SUBJECT TO FORFEITURE.
8 NOTICE MAY BE GIVEN BY PUBLICATION IF PERSONAL SERVICE HAS BEEN
9 UNSUCCESSFUL AFTER REASONABLE ATTEMPTS."
- 10 Renumber succeeding subparagraphs accordingly.
- 11 Page 7, line 1, strike "PROPERTY" and substitute "PROPERTY, SUBJECT TO
12 ANY PRIOR LIENS,".
- 13 Page 10, line 9, strike "21-1-130" and substitute "21-1-103".
- 14 Page 10, line 11, strike "(a)".
- 15 Page 10, line 15, after the period, add "NEITHER THE STATE PUBLIC
16 DEFENDER NOR THE OFFICE OF ALTERNATE DEFENSE COUNSEL MAY
17 REPRESENT AN INDIGENT PERSON IN A FORFEITURE ACTION. THE
18 ADMINISTRATOR SHALL PAY THE COSTS, FEES, AND DISBURSEMENTS
19 INCURRED BY AN ATTORNEY APPOINTED BY THE COURT FROM THE
20 FORFEITURE DEFENSE FUND CREATED PURSUANT TO SUBSECTION (3)(a) OF
21 THIS SECTION."
- 22 Page 10, strike lines 16 through 21.
- 23 Page 11, line 4, strike "REPRESENTING INDIGENT CLIENTS" and substitute
24 "PAYING ATTORNEYS APPOINTED TO REPRESENT INDIGENT PERSONS
25 PURSUANT TO SUBSECTION (2) OF THIS SECTION".

** **