

HB26-1250 be amended as follows:

1 Amend printed bill, page 3, line 5, after "(1.7)(b)," insert "(1.7)(c),".

2 Page 3, line 6, strike "(5); and **repeal** (1.7)(c)" and substitute "(5)".

3 Page 5, strike lines 1 through 7 and substitute:

4 "(c) If the plaintiff proves by clear and convincing evidence that
5 the property was instrumental in the commission of an offense listed in
6 section 16-13-303 (1) or that the property is traceable proceeds of the
7 offense or related criminal activity by a nonowner and the plaintiff proves
8 by clear and convincing evidence that an owner is not an innocent owner
9 pursuant to section 16-13-303 (5.2)(a), a judgment of forfeiture may be
10 entered ~~without~~ ONLY AFTER a criminal conviction of ~~an owner~~ THE
11 NONOWNER IN THE UNDERLYING CRIMINAL OFFENSE RELATED TO THE
12 PROPERTY SUBJECT TO THE FORFEITURE PROCEEDING."

13 Page 11, line 24, after "(1.7)(b)," insert "(1.7)(c),".

14 Page 11, line 25, strike "portion; **repeal** (1.7)(c);" and substitute
15 "portion;".

16 Page 13, strike lines 20 through 26 and substitute:

17 (c) If the plaintiff proves by clear and convincing evidence that
18 the property was instrumental in the commission of an offense listed in
19 section 16-13-503 (1) or that the property is traceable proceeds of the
20 offense or related criminal activity by a nonowner and the plaintiff proves
21 by clear and convincing evidence that an owner is not an innocent owner
22 pursuant to section 16-13-504 (2.2), a judgment of forfeiture may be
23 entered ~~without~~ ONLY AFTER a criminal conviction of ~~an owner~~ THE
24 NONOWNER IN THE UNDERLYING CRIMINAL OFFENSE RELATED TO THE
25 PROPERTY SUBJECT TO THE FORFEITURE PROCEEDING."

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