

Effective 5/3/2023

77-11b-101 Definitions.

As used in this chapter:

- (1)
 - (a) "Acquitted" means a finding by a jury or a judge at trial that a claimant is not guilty.
 - (b) "Acquitted" does not include:
 - (i) a verdict of guilty on a lesser or reduced charge;
 - (ii) a plea of guilty to a lesser or reduced charge; or
 - (iii) dismissal of a charge as a result of a negotiated plea agreement.
- (2) "Agency" means the same as that term is defined in Section 77-11a-101.
- (3) "Claimant" means the same as that term is defined in Section 77-11a-101.
- (4) "Commission" means the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.
- (5) "Complaint" means a civil or criminal complaint seeking the forfeiture of any property under this chapter.
- (6) "Forfeit" means to divest a claimant of an ownership interest in property seized under Section 77-11a-201.
- (7) "Innocent owner" means the same as that term is defined in Section 77-11a-101.
- (8) "Interest holder" means the same as that term is defined in Section 77-11a-101.
- (9) "Known address" means:
 - (a) any address provided by a claimant to the peace officer or agency at the time the property is seized; or
 - (b) the claimant's most recent address on record with a governmental entity if no address was provided at the time of the seizure.
- (10) "Legal costs" means the costs and expenses incurred by a party in a forfeiture action.
- (11) "Legislative body" means the same as that term is defined in Section 77-11a-101.
- (12) "Peace officer" means the same as that term is defined in Section 77-11a-101.
- (13) "Proceeds" means the same as that term is defined in Section 77-11a-101.
- (14) "Program" means the State Asset Forfeiture Grant Program created in Section 77-11b-403.
- (15) "Property" means the same as that term is defined in Section 77-11a-101.
- (16) "Prosecuting attorney" means the same as that term is defined in Section 77-11a-101.
- (17) "Seized property" means the same as that term is defined in Section 77-11a-101.

Enacted by Chapter 448, 2023 General Session