

**4th Sub. S.B. 87**  
**CIVIL ASSET FORFEITURE REVISIONS**

Representative **Brian M. Greene** proposes the following amendments:

1. *Page 3, Lines 81 through 84:*

81 (10) (a) "Interest holder" means a secured party as defined in Section 70A-9a-102, a party with a  
82 right-of-offset, a  
83 mortgagee, lien creditor, or the beneficiary of a security interest or encumbrance pertaining to  
84 an interest in property, whose interest would be perfected against a good faith purchaser for  
value.

2. *Page 12, Lines 345 through 359:*

345 (8) (a) ~~{An innocent owner}~~ A claimant may recover possession of seized property that is  
subject to  
346 forfeiture by contacting the seizing agency or prosecuting attorney within 30 days of the seizure  
347 and providing to the seizing agency or prosecuting attorney:  
348 (i) evidence that establishes proof of ownership; and  
349 (ii) a brief description of the date, time, and place that the ~~{innocent owner}~~ claimant  
mislaid or  
350 relinquished possession of the seized property.  
351 (b) A seizing agency or prosecuting attorney who receives a claim from a ~~{potentially~~  
352 innocent owner} claimant utilizing the procedure in Subsection (8)(a) shall issue a written response to  
353 that claim within 30 days of receipt, indicating whether the claim has been granted, denied on  
354 the merits, or denied for failure to provide the information required by statute subject to the  
355 following:  
356 (i) if the claim is denied for failure to provide the information required by statute, the  
357 ~~{potentially innocent owner}~~ claimant has 15 days from the date of denial to submit additional  
information  
358 before the prosecuting attorney may commence a civil action seeking to forfeit the property;  
359 and