



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 1, 2019

Mr. Speaker,

The Law Enforcement and Criminal Justice Committee has returned **1st Sub. S.B. 109**, ASSET FORFEITURE AMENDMENTS, by Senator T. Weiler to the Rules Committee and with the following amendments:

1. *Page 3, Line 76 through 78:*

76 (2) The agency responsible for maintaining the property shall:
77 (a) hold all seized property in safe {~~physical~~} legal custody until [it]
the seized property can be
78 disposed of as provided in this title; and

2. *Page 3, Line 83 through 85:*

83 (3) Property seized under this title is not recoverable by replevin, but is considered
in
84 the agency's {~~physical~~} legal custody subject only to the orders of the court
or the official having
85 jurisdiction.

3. *Page 14, Line 406 through 410:*

406 ~~{(4) An agency that receives an equitable share of property forfeited by the~~
~~federal~~
407 ~~government is ineligible to participate in the program the following fiscal year.~~
408 ~~(5)}~~ (4) Before transferring any property under Subsection (1), an agency

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shall adopt and
409 comply with a written policy governing the transfer of property that is consistent with the
410 provisions of this section.

Respectfully,

Lee B. Perry
Chair

Voting: 8-1-2

5 SB0109.HC1.wpd 3/1/19 11:14 am jfeinauer/JF1 JC1/JTW

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