

1 negotiable instruments, conveyances and other personal property are
2 subject to administrative forfeiture by the prosecuting attorney of
3 a county or duly appointed special prosecutor.

4 (b) An administrative forfeiture notice shall be provided by
5 the prosecuting attorney after the seizure of the property in
6 question. The notice shall contain the following:

7 (1) A description of the property seized;

8 (2) A statement as to who is responsible for the seizure;

9 (3) A statement of the time and place of seizure;

10 (4) The identity of the owner or owners of the property, if
11 known; and

12 (5) The identity of the person or persons in possession of the
13 property at the time seized.

14 (c) The administrative forfeiture notice shall be provided to
15 the possessor and the owner or owners of the seized property, if
16 known, at their last known address by certified mail, return
17 receipt requested.

18 (d) If no owner or possessor can be located with diligent
19 effort and if the notice, provided in subsection (c) of this
20 section to the last known address of any such person, is returned
21 unclaimed or refused, then no further notice is required.

22 (e) The administrative forfeiture notice shall include a
23 statement substantially as follows: "To any claimant to the within
24 described property: "The property is subject to administrative

1 forfeiture unless you provide a written notice, within thirty days
2 of receipt of this notice, that you wish to contest this
3 forfeiture. If you fail to provide a notice to the prosecuting
4 attorney, you will immediately and forever lose all right, claim,
5 title and interest to the subject property, and the property will
6 be disposed of according to law."

7 (f) If, after thirty days of the delivery of notice from the
8 prosecuting attorney as provided in subsections (c), (d) and (e) of
9 this section, no notice is received from any person indicating a
10 desire to contest the administrative forfeiture, all right, title
11 and interest to the subject property shall immediately vest in the
12 state, and shall be disposed of in the same manner as in a civil
13 forfeiture.

14 (g) If notice is received from any person, within the required
15 period of time, indicating a desire to contest the administrative
16 forfeiture, then no forfeiture may be obtained except through a
17 civil forfeiture proceeding under section seven hundred five of
18 this article.

NOTE: The purpose of this bill is to provide for the prosecuting attorney of a county or duly appointed special prosecutor additional procedures for forfeiture of contraband property involved in the trafficking of controlled substances.

This section is new; therefore, it has been completely underscored.