PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1286

- Page 1, line 3, after the second comma insert "and"
- Page 1, line 3, remove ", 29-27-02.1, and subsection 1 of"
- Page 1, line 4, remove "section 54-12-14"
- Page 1, line 5, remove "disposition of statutory fees,"
- Page 1, line 6, replace "fines," with "and"
- Page 1, line 6, remove ", and the attorney general assets forfeiture fund"
- Page 1, line 17, remove the third "or"
- Page 1, line 18, after the first "property" insert ", or it can be established beyond a reasonable doubt the property was used in the commission of a crime or constituted the proceeds of criminal activity"
- Page 1, remove lines 22 and 23
- Page 2, line 6, remove "clear and convincing"
- Page 2, line 7, remove "evidence"
- Page 2, line 7, overstrike "for instituting the forfeiture action following which" and insert immediately thereafter "the forfeited property meets the requirements of subsection 2 of section 19-03.1-36.2. Following the state's case,"
- Page 2, line 15, remove "order the proper costs and"
- Page 2, remove lines 16 and 17
- Page 2, line 18, replace "remaining proceeds to be deposited as provided in subsection 2 of section 29-27-02.1" with "order only the forfeited property or proceeds from the sale of forfeited property to be deposited with a political subdivision if the political subdivision has created a civil asset forfeiture fund. If the political subdivision does not have a civil asset forfeiture fund, any forfeited property and proceeds from the sale of forfeited property must be deposited in the attorney general's asset forfeiture fund.
 - 3. This section does not prohibit the state and a political subdivision from entering an agreement to divide forfeited property and the proceeds from the sale of forfeited property"
- Page 3, line 3, remove "Currency with the value of seven hundred and fifty United States dollars or less"
- Page 3, remove line 4
- Page 3, line 5, remove "c."
- Page 3, line 6, replace "d." with "c."
- Page 3, line 9, remove "sentence imposed for committing the offense"

- Page 3, line 10, replace "<u>subject to forfeiture</u>" with "<u>possible penalty that could be imposed for the alleged or committed offense subject to forfeiture</u>"
- Page 3, line 11, replace "e." with "d."
- Page 3, line 24, after the underscored semicolon insert "and"
- Page 3, line 25, remove "; and"
- Page 3, remove line 26
- Page 3, line 27 remove "the proceedings for forfeiture and sale under section 19-03.1-36.6"
- Page 4, remove lines 13 through 31
- Page 5, remove lines 1 through 29
- Renumber accordingly