

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 601

S.P. 216

In Senate, February 17, 2009

An Act To Require That the Proceeds from Property Seized through Drug Crime Forfeitures Go to the General Fund

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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Be it enacted by the People of the State of Maine as follows:

Sec. 1. 15 MRSA §5826, sub-§6, as amended by PL 1999, c. 408, §3, is further amended to read:

6. Final order of disposition of property. Following the entry of a verdict of forfeiture of property pursuant to this section or the entry of a guilty plea in open court on the record and following the court's disposition of all petitions for hearing timely filed by 3rd parties, the State has clear title to property that is the subject of the indictment, information or complaint. The final order must provide for the deposit of the property or the proceeds from the disposition of the property, less the reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody, advertising and notice, in the General Fund, ~~except that, to the extent that the court finds it reasonable, the court may order forfeiture of as much of the property as is appropriate, less the reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody, advertising and notice, to a municipality, county or state agency that has made a substantial contribution to the investigation or prosecution of a related criminal case.~~

SUMMARY

This bill requires that all proceeds from the forfeiture of property relating to a conviction of a crime involving drugs, after paying the reasonable expenses of the forfeiture proceeding and related costs, go to the General Fund.