

1 HB367
2 190748-1
3 By Representative Hall
4 RFD: Judiciary
5 First Read: 01-FEB-18

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8 SYNOPSIS: Under existing law, certain property is
9 subject to civil forfeiture when owned or used by a
10 person in the commission of certain unlawful acts.
11 Property subject to civil forfeiture is forfeited
12 to the state and sold, destroyed, or disposed of in
13 a proper manner.

14 This bill would repeal civil forfeiture of
15 certain computers and software, civil forfeiture of
16 an eavesdropping device, civil forfeiture in
17 controlled substances cases, and the Alabama
18 Comprehensive Criminal Proceeds Forfeiture Act.

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20 A BILL
21 TO BE ENTITLED
22 AN ACT

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24 Relating to asset forfeiture; to repeal Section
25 13A-8-117, Code of Alabama 1975, relating to forfeiture of
26 certain computers and software; Section 13A-11-37, Code of
27 Alabama 1975, relating to forfeiture of an eavesdropping

1 device; Article 4, commencing with Section 15-5-60 of Chapter
2 5 of Title 15 of the Code of Alabama 1975, The Alabama
3 Comprehensive Criminal Proceeds Forfeiture Act; and Section
4 20-2-93, Code of Alabama 1975, relating to forfeiture in
5 controlled substances cases.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The following sections are repealed:

8 Section 13A-8-117, Code of Alabama 1975, relating to
9 forfeiture of certain computers and software; Section
10 13A-11-37, Code of Alabama 1975, relating to forfeiture of an
11 eavesdropping device; Article 4, commencing with Section
12 15-5-60 of Chapter 5 of Title 15 of the Code of Alabama 1975,
13 The Alabama Comprehensive Criminal Proceeds Forfeiture Act;
14 and Section 20-2-93, Code of Alabama 1975, relating to
15 forfeiture in controlled substances cases.

16 Section 2. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.