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3 ORR AMENDMENT TO SB191  
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6  
7

8 On page 5, delete lines 26 and 27 in their entirety  
9 and insert in lieu thereof the following:

10 property. In order for property or proceeds to be  
11 deemed abandoned, a representative of the law enforcement  
12 agency having possession of abandoned property or proceeds  
13 shall file a sworn affidavit with the district attorney  
14 setting forth the circumstances of the abandonment, including  
15 the results of a search of records to identify the owner or  
16 lienholders. The records to be searched shall include records  
17 of the Alabama Department of Revenue, judge of probate, and  
18 the Secretary of State. After the filing of the affidavit, the  
19 district attorney or Attorney General may file an action in  
20 the circuit court to declare the property or proceeds  
21 abandoned. If the location of the owner, registrant, secured  
22 party, or lienholder is unknown, service shall be made at the  
23 last known address of the current owner, registrant, secured  
24 party, or lienholder, as well as by publication on a  
25 governmental website or a newspaper of general circulation for  
26 a period of three weeks. The sworn affidavit and a certificate

1 of service shall accompany any action filed by the district  
2 attorney in the circuit court.

3  
4 On page 6, delete lines 6 through 14 in their  
5 entirety and renumber the remaining sections accordingly.

6  
7 On page 9, delete lines 3 and 4 in their entirety.

8  
9 On page 9, delete line 5 and insert in lieu thereof  
10 the following:

11 (b) Notwithstanding subsection (a), title

12  
13 On page 9, line 10, delete "a claimant" and insert  
14 in lieu thereof the following:

15 an innocent owner claimant

16  
17 On page 9, line 14, after "offense, the" insert the  
18 following:

19 innocent owner

20  
21 On page 9, line 15, after "motion" delete "to the"  
22 and insert in lieu thereof the following:

23 in civil

24  
25 On page 10, delete lines 9 through 13 in their  
26 entirety.

1           On page 12, delete lines 10 through 12 in their  
2 entirety and insert in lieu thereof the following:

3           (a) In adjudicating a forfeiture, the trier of fact  
4 shall determine whether the forfeiture is

5  
6           On page 12, line 15, delete "defendant" and insert  
7 in lieu thereof the following:

8           claimant

9  
10           On page 13, after line 5, insert the following new  
11 subdivision:

12           (6) The maximum allowable fine for the offense  
13 committed, as prescribed under Section 13A-5-11, Code of  
14 Alabama 1975.

15  
16           On page 18, line 23, delete "State Treasurer. The  
17 State Treasurer" and insert in lieu thereof the following:

18           Alabama Department of Economic and Community Affairs  
19 (ADECA). ADECA