

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

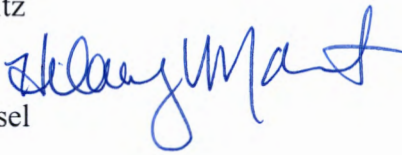
MEMORANDUM

March 20, 2017

SUBJECT: Forfeitures (CSHB 42(JUD);
Work Order No. 30-LS0193\U)

TO: Representative Matt Claman
Chair of the House Judiciary Committee
Attn: Lizzie Kubitz

FROM: Hilary V. Martin
Legislative Counsel



Attached is the Judiciary CS you requested, making changes proposed by the Department of Law.

I have changed bill sec. 12.36.310 to remove the list of offenses that subject a person to forfeiture. The section now reads that forfeiture is permitted following conviction of an offense that provides for forfeiture by law, regulation, or ordinance. In bill sec. 12.36.300, a person's property is subject to forfeiture if the person is convicted of an offense under bill sec. 12.36.310. Now that bill sec. 12.36.300 states that forfeiture is permitted following conviction of an offense that is subject to forfeiture, this leads to a nonsensical result. The purpose of the list of statutes was to make it clear which offenses subjected a person to forfeiture. Now, there seems to be no reason to direct people to sec. 12.36.310 since that section no longer identifies the offenses that provide for forfeiture. It would be clearer to simply delete bill sec. 12.36.310 and in sec. 12.36.300, state that forfeiture is permitted following conviction of an offense that provides for forfeiture.

If I may be of further assistance, please advise.

HVM:mlp
17-133.mlp

Attachment