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IN THE HOUSE

BY RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR

HOUSE BILL NO. 25

IN THE LEGISLATURE OF THE STATE OF ALASKA  
SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the forfeiture of boats and vehicles used in the transportation of narcotic drugs; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

Section 1. Any boat, vehicle, or other conveyance used in the transportation of any illegally possessed narcotic drug, shall be forfeited to the state by order of the court issuing the process by virtue of which the conveyance was seized, or before which the person violating the law, or the conveyance is taken by the officer or officers making the seizure.

Sec. 2. The court having jurisdiction over the conveyance so seized shall order an immediate hearing as to whether the conveyance was being used for unlawful purposes, and take such legal evidence as is offered and determine the same as in civil cases. Should the court find from a preponderance of the testimony that the conveyance so seized was being used for the transportation of any narcotic drug illegally possessed under the laws of this state, it shall render judgment accordingly and declare the conveyance forfeited to the State of Alaska. Thereupon, the conveyance shall be delivered to the Department of Public Safety under the order of said court, to be sold at public auction.

Sec. 3. Appeals may be allowed as in civil cases, but the possession of a conveyance being used for the transportation of

1 narcotics shall be prima facie evidence that it is the property of  
2 the person so using it. When the conveyance is sold under the  
3 provisions of this Act the proceeds shall revert to the general  
4 fund of the state.

5 Sec. 4. EFFECTIVE DATE. This Act takes effect on the day  
6 after its passage and approval or on the day it becomes law with-  
7 out such approval.

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