

IN THE SENATE

BY BRADLEY

SENATE BILL NO. 463

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the seizure of conveyances used in drug violations."

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

* Section 1. AS 17.15.060 is amended to read:

ARTICLE 2. SEIZURE OF CONVEYANCES USED IN DRUG [NARCOTICS] VIOLATIONS.

Sec. 17.15.060. SEIZURE AND FORFEITURE OF CONVEYANCE. A vessel, vehicle, aircraft or other conveyance used in the transportation of an illegally possessed [NARCOTIC] drug shall be seized and forfeited to the state.

* Sec. 2. AS 17.15.080 is amended to read:

Sec. 17.15.080. HEARING, FORFEITURE AND SALE. The court shall order an immediate hearing on the question of whether or not the conveyance was used in the transportation of an illegally possessed [NARCOTIC] drug. The court shall hear evidence and determine the question as in civil cases. If the court finds from a preponderance of the testimony that the conveyance seized was being used for the transportation of an illegally possessed [NARCOTIC] drug, it shall give judgment accordingly and declare the conveyance forfeited to the state. The conveyance shall be delivered to the Department of Public Safety under the court order, and may be sold at public auction, or used by the department, in the discretion of the Commissioner of Public Safety.

* Sec. 3. AS 17.15.110 is amended to read:

Sec. 17.15.110. DEFINITION OF ILLEGALLY POSSESSED NARCOTIC DRUG.

1 In secs. 60 - 110 of this chapter

2 (1) "conveyance" means a vessel, vehicle, trailer, aircraft or other
3 conveyance used in the transportation of an illegally possessed narcotic
4 drug;

5 (2) "illegally possessed [NARCOTIC] drug" is a depressant,
6 hallucinogenic, stimulant or narcotic drug (A) possessed with intent to
7 sell or offer for sale in violation of any law or regulation of the
8 United States or this state, or (B) acquired, possessed, sold, trans-
9 ferred, or offered for sale in violation of any law of the United States
10 or this state, or (C) acquired by theft, robbery or burglary;

11 (3) "narcotic drug" means a narcotic drug defined by the fed-
12 eral internal revenue laws and the regulation issued under them;

13 (4) "depressant, hallucinogenic or stimulant drug" means any
14 depressant, hallucinogenic or stimulant drug as defined by AS 17.12.150(3).