



Sen. Antonio Munoz

Filed: 2/23/2006

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LRB094 17675 RLC 56398 a

1 AMENDMENT TO SENATE BILL 2869

2 AMENDMENT NO. _____. Amend Senate Bill 2869, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Cannabis Control Act is amended by changing
6 Section 12 as follows:

7 (720 ILCS 550/12) (from Ch. 56 1/2, par. 712)

8 Sec. 12. (a) The following are subject to forfeiture:

9 (1) all substances containing cannabis which have been
10 produced, manufactured, delivered, or possessed in
11 violation of this Act;

12 (2) all raw materials, products and equipment of any
13 kind which are produced, delivered, or possessed in
14 connection with any substance containing cannabis in
15 violation of this Act;

16 (3) all conveyances, including aircraft, vehicles or
17 vessels, which are used, or intended for use, to transport,
18 or in any manner to facilitate the transportation, sale,
19 receipt, possession, or concealment of property described
20 in paragraph (1) or (2) that constitutes a felony violation
21 of the Act, but:

22 (i) no conveyance used by any person as a common
23 carrier in the transaction of business as a common
24 carrier is subject to forfeiture under this Section

1 unless it appears that the owner or other person in
2 charge of the conveyance is a consenting party or privy
3 to a violation of this Act;

4 (ii) no conveyance is subject to forfeiture under
5 this Section by reason of any act or omission which the
6 owner proves to have been committed or omitted without
7 his knowledge or consent;

8 (iii) a forfeiture of a conveyance encumbered by a
9 bona fide security interest is subject to the interest
10 of the secured party if he neither had knowledge of nor
11 consented to the act or omission;

12 (4) all money, things of value, books, records, and
13 research products and materials including formulas,
14 microfilm, tapes, and data which are used, or intended for
15 use in a felony violation of this Act;

16 (5) everything of value furnished or intended to be
17 furnished by any person in exchange for a substance in
18 violation of this Act, all proceeds traceable to such an
19 exchange, and all moneys, negotiable instruments, and
20 securities used, or intended to be used, to commit or in
21 any manner to facilitate any felony violation of this Act.

22 (b) Property subject to forfeiture under this Act may be
23 seized by the Director or any peace officer upon process or
24 seizure warrant issued by any court having jurisdiction over
25 the property. Seizure by the Director or any peace officer
26 without process may be made:

27 (1) if the property subject to seizure has been the
28 subject of a prior judgment in favor of the State in a
29 criminal proceeding or in an injunction or forfeiture
30 proceeding based upon this Act or the Drug Asset Forfeiture
31 Procedure Act;

32 (2) if there is probable cause to believe that the
33 property is directly or indirectly dangerous to health or
34 safety;

1 (3) if there is probable cause to believe that the
2 property is subject to forfeiture under this Act and the
3 property is seized under circumstances in which a
4 warrantless seizure or arrest would be reasonable; or

5 (4) in accordance with the Code of Criminal Procedure
6 of 1963.

7 (c) In the event of seizure pursuant to subsection (b),
8 forfeiture proceedings shall be instituted in accordance with
9 the Drug Asset Forfeiture Procedure Act.

10 (d) Property taken or detained under this Section shall not
11 be subject to replevin, but is deemed to be in the custody of
12 the Director subject only to the order and judgments of the
13 circuit court having jurisdiction over the forfeiture
14 proceedings and the decisions of the State's Attorney under the
15 Drug Asset Forfeiture Procedure Act. When property is seized
16 under this Act, the seizing agency shall promptly conduct an
17 inventory of the seized property, estimate the property's
18 value, and shall forward a copy of the inventory of seized
19 property and the estimate of the property's value to the
20 Director. Upon receiving notice of seizure, the Director may:

21 (1) place the property under seal;

22 (2) remove the property to a place designated by him;

23 (3) keep the property in the possession of the seizing
24 agency;

25 (4) remove the property to a storage area for
26 safekeeping or, if the property is a negotiable instrument
27 or money and is not needed for evidentiary purposes,
28 deposit it in an interest bearing account;

29 (5) place the property under constructive seizure by
30 posting notice of pending forfeiture on it, by giving
31 notice of pending forfeiture to its owners and interest
32 holders, or by filing notice of pending forfeiture in any
33 appropriate public record relating to the property; or

34 (6) provide for another agency or custodian, including

1 an owner, secured party, or lienholder, to take custody of
2 the property upon the terms and conditions set by the
3 Director.

4 (e) No disposition may be made of property under seal until
5 the time for taking an appeal has elapsed or until all appeals
6 have been concluded unless a court, upon application therefor,
7 orders the sale of perishable substances and the deposit of the
8 proceeds of the sale with the court.

9 (f) When property is forfeited under this Act the Director
10 shall sell all such property unless such property is required
11 by law to be destroyed or is harmful to the public, and shall
12 distribute the proceeds of the sale, together with any moneys
13 forfeited or seized, in accordance with subsection (g).
14 However, upon the application of the seizing agency or
15 prosecutor who was responsible for the investigation, arrest or
16 arrests and prosecution which lead to the forfeiture, the
17 Director may return any item of forfeited property to the
18 seizing agency or prosecutor for official use in the
19 enforcement of laws relating to cannabis or controlled
20 substances, if the agency or prosecutor can demonstrate that
21 the item requested would be useful to the agency or prosecutor
22 in their enforcement efforts. When any forfeited conveyance,
23 including an aircraft, vehicle, or vessel, is returned to the
24 seizing agency or prosecutor, the conveyance may be used
25 immediately in the enforcement of the criminal laws of this
26 State. Upon disposal, all proceeds from the sale of the
27 conveyance must be used for drug enforcement purposes. When any
28 real property returned to the seizing agency is sold by the
29 agency or its unit of government, the proceeds of the sale
30 shall be delivered to the Director and distributed in
31 accordance with subsection (g).
32 (g) All monies and the sale proceeds of all other property
33 forfeited and seized under this Act shall be distributed as
34 follows:

1 (1) 65% shall be distributed to the metropolitan
2 enforcement group, local, municipal, county, or state law
3 enforcement agency or agencies which conducted or
4 participated in the investigation resulting in the
5 forfeiture. The distribution shall bear a reasonable
6 relationship to the degree of direct participation of the
7 law enforcement agency in the effort resulting in the
8 forfeiture, taking into account the total value of the
9 property forfeited and the total law enforcement effort
10 with respect to the violation of the law upon which the
11 forfeiture is based. Amounts distributed to the agency or
12 agencies shall be used for the enforcement of laws
13 governing cannabis and controlled substances or for
14 security cameras used for the prevention or detection of
15 violence, except that amounts distributed to the Secretary
16 of State shall be deposited into the Secretary of State
17 Evidence Fund to be used as provided in Section 2-115 of
18 the Illinois Vehicle Code.

19 (2) (i) 12.5% shall be distributed to the Office of the
20 State's Attorney of the county in which the prosecution
21 resulting in the forfeiture was instituted, deposited
22 in a special fund in the county treasury and
23 appropriated to the State's Attorney for use in the
24 enforcement of laws governing cannabis and controlled
25 substances. In counties over 3,000,000 population, 25%
26 will be distributed to the Office of the State's
27 Attorney for use in the enforcement of laws governing
28 cannabis and controlled substances. If the prosecution
29 is undertaken solely by the Attorney General, the
30 portion provided hereunder shall be distributed to the
31 Attorney General for use in the enforcement of laws
32 governing cannabis and controlled substances.

33 (ii) 12.5% shall be distributed to the Office of
34 the State's Attorneys Appellate Prosecutor and

1 deposited in the Narcotics Profit Forfeiture Fund of
2 that Office to be used for additional expenses incurred
3 in the investigation, prosecution and appeal of cases
4 arising under laws governing cannabis and controlled
5 substances. The Office of the State's Attorneys
6 Appellate Prosecutor shall not receive distribution
7 from cases brought in counties with over 3,000,000
8 population.

9 (3) 10% shall be retained by the Department of State
10 Police for expenses related to the administration and sale
11 of seized and forfeited property.

12 (Source: P.A. 89-404, eff. 8-20-95; 90-593, eff. 6-19-98.)

13 Section 10. The Illinois Controlled Substances Act is
14 amended by changing Section 505 as follows:

15 (720 ILCS 570/505) (from Ch. 56 1/2, par. 1505)

16 Sec. 505. (a) The following are subject to forfeiture:

17 (1) all substances which have been manufactured,
18 distributed, dispensed, or possessed in violation of this
19 Act;

20 (2) all raw materials, products and equipment of any
21 kind which are used, or intended for use in manufacturing,
22 distributing, dispensing, administering or possessing any
23 substance in violation of this Act;

24 (3) all conveyances, including aircraft, vehicles or
25 vessels, which are used, or intended for use, to transport,
26 or in any manner to facilitate the transportation, sale,
27 receipt, possession, or concealment of property described
28 in paragraphs (1) and (2), but:

29 (i) no conveyance used by any person as a common
30 carrier in the transaction of business as a common
31 carrier is subject to forfeiture under this Section
32 unless it appears that the owner or other person in

1 charge of the conveyance is a consenting party or privy
2 to a violation of this Act;

3 (ii) no conveyance is subject to forfeiture under
4 this Section by reason of any act or omission which the
5 owner proves to have been committed or omitted without
6 his knowledge or consent;

7 (iii) a forfeiture of a conveyance encumbered by a
8 bona fide security interest is subject to the interest
9 of the secured party if he neither had knowledge of nor
10 consented to the act or omission;

11 (4) all money, things of value, books, records, and
12 research products and materials including formulas,
13 microfilm, tapes, and data which are used, or intended to
14 be used in violation of this Act;

15 (5) everything of value furnished, or intended to be
16 furnished, in exchange for a substance in violation of this
17 Act, all proceeds traceable to such an exchange, and all
18 moneys, negotiable instruments, and securities used, or
19 intended to be used, to commit or in any manner to
20 facilitate any violation of this Act;

21 (6) all real property, including any right, title, and
22 interest (including, but not limited to, any leasehold
23 interest or the beneficial interest in a land trust) in the
24 whole of any lot or tract of land and any appurtenances or
25 improvements, which is used or intended to be used, in any
26 manner or part, to commit, or in any manner to facilitate
27 the commission of, any violation or act that constitutes a
28 violation of Section 401 or 405 of this Act or that is the
29 proceeds of any violation or act that constitutes a
30 violation of Section 401 or 405 of this Act.

31 (b) Property subject to forfeiture under this Act may be
32 seized by the Director or any peace officer upon process or
33 seizure warrant issued by any court having jurisdiction over
34 the property. Seizure by the Director or any peace officer

1 without process may be made:

2 (1) if the seizure is incident to inspection under an
3 administrative inspection warrant;

4 (2) if the property subject to seizure has been the
5 subject of a prior judgment in favor of the State in a
6 criminal proceeding, or in an injunction or forfeiture
7 proceeding based upon this Act or the Drug Asset Forfeiture
8 Procedure Act;

9 (3) if there is probable cause to believe that the
10 property is directly or indirectly dangerous to health or
11 safety;

12 (4) if there is probable cause to believe that the
13 property is subject to forfeiture under this Act and the
14 property is seized under circumstances in which a
15 warrantless seizure or arrest would be reasonable; or

16 (5) in accordance with the Code of Criminal Procedure
17 of 1963.

18 (c) In the event of seizure pursuant to subsection (b),
19 forfeiture proceedings shall be instituted in accordance with
20 the Drug Asset Forfeiture Procedure Act.

21 (d) Property taken or detained under this Section shall not
22 be subject to replevin, but is deemed to be in the custody of
23 the Director subject only to the order and judgments of the
24 circuit court having jurisdiction over the forfeiture
25 proceedings and the decisions of the State's Attorney under the
26 Drug Asset Forfeiture Procedure Act. When property is seized
27 under this Act, the seizing agency shall promptly conduct an
28 inventory of the seized property and estimate the property's
29 value, and shall forward a copy of the inventory of seized
30 property and the estimate of the property's value to the
31 Director. Upon receiving notice of seizure, the Director may:

32 (1) place the property under seal;

33 (2) remove the property to a place designated by the
34 Director;

1 (3) keep the property in the possession of the seizing
2 agency;

3 (4) remove the property to a storage area for
4 safekeeping or, if the property is a negotiable instrument
5 or money and is not needed for evidentiary purposes,
6 deposit it in an interest bearing account;

7 (5) place the property under constructive seizure by
8 posting notice of pending forfeiture on it, by giving
9 notice of pending forfeiture to its owners and interest
10 holders, or by filing notice of pending forfeiture in any
11 appropriate public record relating to the property; or

12 (6) provide for another agency or custodian, including
13 an owner, secured party, or lienholder, to take custody of
14 the property upon the terms and conditions set by the
15 Director.

16 (e) If the Department of Professional Regulation suspends
17 or revokes a registration, all controlled substances owned or
18 possessed by the registrant at the time of suspension or the
19 effective date of the revocation order may be placed under
20 seal. No disposition may be made of substances under seal until
21 the time for taking an appeal has elapsed or until all appeals
22 have been concluded unless a court, upon application therefor,
23 orders the sale of perishable substances and the deposit of the
24 proceeds of the sale with the court. Upon a revocation rule
25 becoming final, all substances may be forfeited to the
26 Department of Professional Regulation.

27 (f) When property is forfeited under this Act the Director
28 shall sell all such property unless such property is required
29 by law to be destroyed or is harmful to the public, and shall
30 distribute the proceeds of the sale, together with any moneys
31 forfeited or seized, in accordance with subsection (g).
32 However, upon the application of the seizing agency or
33 prosecutor who was responsible for the investigation, arrest or
34 arrests and prosecution which lead to the forfeiture, the

1 Director may return any item of forfeited property to the
2 seizing agency or prosecutor for official use in the
3 enforcement of laws relating to cannabis or controlled
4 substances, if the agency or prosecutor can demonstrate that
5 the item requested would be useful to the agency or prosecutor
6 in their enforcement efforts. When any forfeited conveyance,
7 including an aircraft, vehicle, or vessel, is returned to the
8 seizing agency or prosecutor, the conveyance may be used
9 immediately in the enforcement of the criminal laws of this
10 State. Upon disposal, all proceeds from the sale of the
11 conveyance must be used for drug enforcement purposes. When any
12 real property returned to the seizing agency is sold by the
13 agency or its unit of government, the proceeds of the sale
14 shall be delivered to the Director and distributed in
15 accordance with subsection (g).

16 (g) All monies and the sale proceeds of all other property
17 forfeited and seized under this Act shall be distributed as
18 follows:

19 (1) 65% shall be distributed to the metropolitan
20 enforcement group, local, municipal, county, or state law
21 enforcement agency or agencies which conducted or
22 participated in the investigation resulting in the
23 forfeiture. The distribution shall bear a reasonable
24 relationship to the degree of direct participation of the
25 law enforcement agency in the effort resulting in the
26 forfeiture, taking into account the total value of the
27 property forfeited and the total law enforcement effort
28 with respect to the violation of the law upon which the
29 forfeiture is based. Amounts distributed to the agency or
30 agencies shall be used for the enforcement of laws
31 governing cannabis and controlled substances or for
32 security cameras used for the prevention or detection of
33 violence, except that amounts distributed to the Secretary
34 of State shall be deposited into the Secretary of State

1 Evidence Fund to be used as provided in Section 2-115 of
2 the Illinois Vehicle Code.

3 (2) (i) 12.5% shall be distributed to the Office of the
4 State's Attorney of the county in which the prosecution
5 resulting in the forfeiture was instituted, deposited in a
6 special fund in the county treasury and appropriated to the
7 State's Attorney for use in the enforcement of laws
8 governing cannabis and controlled substances. In counties
9 over 3,000,000 population, 25% will be distributed to the
10 Office of the State's Attorney for use in the enforcement
11 of laws governing cannabis and controlled substances. If
12 the prosecution is undertaken solely by the Attorney
13 General, the portion provided hereunder shall be
14 distributed to the Attorney General for use in the
15 enforcement of laws governing cannabis and controlled
16 substances.

17 (ii) 12.5% shall be distributed to the Office of the
18 State's Attorneys Appellate Prosecutor and deposited in
19 the Narcotics Profit Forfeiture Fund of that office to be
20 used for additional expenses incurred in the
21 investigation, prosecution and appeal of cases arising
22 under laws governing cannabis and controlled substances.
23 The Office of the State's Attorneys Appellate Prosecutor
24 shall not receive distribution from cases brought in
25 counties with over 3,000,000 population.

26 (3) 10% shall be retained by the Department of State
27 Police for expenses related to the administration and sale
28 of seized and forfeited property.

29 (h) Species of plants from which controlled substances in
30 Schedules I and II may be derived which have been planted or
31 cultivated in violation of this Act, or of which the owners or
32 cultivators are unknown, or which are wild growths, may be
33 seized and summarily forfeited to the State. The failure, upon
34 demand by the Director or any peace officer, of the person in

1 occupancy or in control of land or premises upon which the
2 species of plants are growing or being stored, to produce
3 registration, or proof that he is the holder thereof,
4 constitutes authority for the seizure and forfeiture of the
5 plants.

6 (Source: P.A. 89-404, eff. 8-20-95; 90-593, eff. 6-19-98.)

7 Section 15. The Methamphetamine Control and Community
8 Protection Act is amended by changing Section 85 as follows:

9 (720 ILCS 646/85)

10 Sec. 85. Forfeiture.

11 (a) The following are subject to forfeiture:

12 (1) all substances containing methamphetamine which
13 have been produced, manufactured, delivered, or possessed
14 in violation of this Act;

15 (2) all methamphetamine manufacturing materials which
16 have been produced, delivered, or possessed in connection
17 with any substance containing methamphetamine in violation
18 of this Act;

19 (3) all conveyances, including aircraft, vehicles or
20 vessels, which are used, or intended for use, to transport,
21 or in any manner to facilitate the transportation, sale,
22 receipt, possession, or concealment of property described
23 in paragraph (1) or (2) that constitutes a felony violation
24 of the Act, but:

25 (i) no conveyance used by any person as a common
26 carrier in the transaction of business as a common
27 carrier is subject to forfeiture under this Section
28 unless it appears that the owner or other person in
29 charge of the conveyance is a consenting party or privy
30 to a violation of this Act;

31 (ii) no conveyance is subject to forfeiture under
32 this Section by reason of any act or omission which the

1 owner proves to have been committed or omitted without
2 his or her knowledge or consent;

3 (iii) a forfeiture of a conveyance encumbered by a
4 bona fide security interest is subject to the interest
5 of the secured party if he or she neither had knowledge
6 of nor consented to the act or omission;

7 (4) all money, things of value, books, records, and
8 research products and materials including formulas,
9 microfilm, tapes, and data which are used, or intended for
10 use in a felony violation of this Act;

11 (5) everything of value furnished or intended to be
12 furnished by any person in exchange for a substance in
13 violation of this Act, all proceeds traceable to such an
14 exchange, and all moneys, negotiable instruments, and
15 securities used, or intended to be used, to commit or in
16 any manner to facilitate any felony violation of this Act.

17 (6) all real property, including any right, title, and
18 interest (including, but not limited to, any leasehold
19 interest or the beneficial interest in a land trust) in the
20 whole of any lot or tract of land and any appurtenances or
21 improvements, which is used, or intended to be used, in any
22 manner or part, to commit, or in any manner to facilitate
23 the commission of, any violation or act that constitutes a
24 violation of this Act or that is the proceeds of any
25 violation or act that constitutes a violation of this Act.

26 (b) Property subject to forfeiture under this Act may be
27 seized by the Director or any peace officer upon process or
28 seizure warrant issued by any court having jurisdiction over
29 the property. Seizure by the Director or any peace officer
30 without process may be made:

31 (1) if the property subject to seizure has been the
32 subject of a prior judgment in favor of the State in a
33 criminal proceeding or in an injunction or forfeiture
34 proceeding based upon this Act or the Drug Asset Forfeiture

1 Procedure Act;

2 (2) if there is probable cause to believe that the
3 property is directly or indirectly dangerous to health or
4 safety;

5 (3) if there is probable cause to believe that the
6 property is subject to forfeiture under this Act and the
7 property is seized under circumstances in which a
8 warrantless seizure or arrest would be reasonable; or

9 (4) in accordance with the Code of Criminal Procedure
10 of 1963.

11 (c) In the event of seizure pursuant to subsection (b),
12 forfeiture proceedings shall be instituted in accordance with
13 the Drug Asset Forfeiture Procedure Act.

14 (d) Property taken or detained under this Section is not
15 subject to replevin, but is deemed to be in the custody of the
16 Director subject only to the order and judgments of the circuit
17 court having jurisdiction over the forfeiture proceedings and
18 the decisions of the State's Attorney under the Drug Asset
19 Forfeiture Procedure Act. When property is seized under this
20 Act, the seizing agency shall promptly conduct an inventory of
21 the seized property, estimate the property's value, and forward
22 a copy of the inventory of seized property and the estimate of
23 the property's value to the Director. Upon receiving notice of
24 seizure, the Director may:

25 (1) place the property under seal;

26 (2) remove the property to a place designated by him or
27 her;

28 (3) keep the property in the possession of the seizing
29 agency;

30 (4) remove the property to a storage area for
31 safekeeping or, if the property is a negotiable instrument
32 or money and is not needed for evidentiary purposes,
33 deposit it in an interest bearing account;

34 (5) place the property under constructive seizure by

1 posting notice of pending forfeiture on it, by giving
2 notice of pending forfeiture to its owners and interest
3 holders, or by filing notice of pending forfeiture in any
4 appropriate public record relating to the property; or

5 (6) provide for another agency or custodian, including
6 an owner, secured party, or lienholder, to take custody of
7 the property upon the terms and conditions set by the
8 Director.

9 (e) No disposition may be made of property under seal until
10 the time for taking an appeal has elapsed or until all appeals
11 have been concluded unless a court, upon application therefor,
12 orders the sale of perishable substances and the deposit of the
13 proceeds of the sale with the court.

14 (f) When property is forfeited under this Act, the Director
15 shall sell the property unless the property is required by law
16 to be destroyed or is harmful to the public, and shall
17 distribute the proceeds of the sale, together with any moneys
18 forfeited or seized, in accordance with subsection (g).
19 However, upon the application of the seizing agency or
20 prosecutor who was responsible for the investigation, arrest or
21 arrests and prosecution which lead to the forfeiture, the
22 Director may return any item of forfeited property to the
23 seizing agency or prosecutor for official use in the
24 enforcement of laws relating to methamphetamine, cannabis, or
25 controlled substances, if the agency or prosecutor
26 demonstrates that the item requested would be useful to the
27 agency or prosecutor in their enforcement efforts. When any
28 forfeited conveyance, including an aircraft, vehicle, or
29 vessel, is returned to the seizing agency or prosecutor, the
30 conveyance may be used immediately in the enforcement of the
31 criminal laws of this State. Upon disposal, all proceeds from
32 the sale of the conveyance must be used for drug enforcement
33 purposes. When any real property returned to the seizing agency
34 is sold by the agency or its unit of government, the proceeds

1 of the sale shall be delivered to the Director and distributed
2 in accordance with subsection (g).

3 (g) All moneys and the sale proceeds of all other property
4 forfeited and seized under this Act shall be distributed as
5 follows:

6 (1) 65% shall be distributed to the metropolitan
7 enforcement group, local, municipal, county, or State law
8 enforcement agency or agencies which conducted or
9 participated in the investigation resulting in the
10 forfeiture. The distribution shall bear a reasonable
11 relationship to the degree of direct participation of the
12 law enforcement agency in the effort resulting in the
13 forfeiture, taking into account the total value of the
14 property forfeited and the total law enforcement effort
15 with respect to the violation of the law upon which the
16 forfeiture is based. Amounts distributed to the agency or
17 agencies shall be used for the enforcement of laws
18 governing methamphetamine, cannabis, and controlled
19 substances or for security cameras used for the prevention
20 or detection of violence, except that amounts distributed
21 to the Secretary of State shall be deposited into the
22 Secretary of State Evidence Fund to be used as provided in
23 Section 2-115 of the Illinois Vehicle Code.

24 (2) (i) 12.5% shall be distributed to the Office of the
25 State's Attorney of the county in which the prosecution
26 resulting in the forfeiture was instituted, deposited in a
27 special fund in the county treasury and appropriated to the
28 State's Attorney for use in the enforcement of laws
29 governing methamphetamine, cannabis, and controlled
30 substances. In counties with a population over 3,000,000,
31 25% shall be distributed to the Office of the State's
32 Attorney for use in the enforcement of laws governing
33 methamphetamine, cannabis, and controlled substances. If
34 the prosecution is undertaken solely by the Attorney

1 General, the portion provided hereunder shall be
2 distributed to the Attorney General for use in the
3 enforcement of laws governing methamphetamine, cannabis,
4 and controlled substances.

5 (ii) 12.5% shall be distributed to the Office of the
6 State's Attorneys Appellate Prosecutor and deposited in
7 the Narcotics Profit Forfeiture Fund of that Office to be
8 used for additional expenses incurred in the
9 investigation, prosecution and appeal of cases arising
10 under laws governing methamphetamine, cannabis, and
11 controlled substances. The Office of the State's Attorneys
12 Appellate Prosecutor shall not receive distribution from
13 cases brought in counties with a population over 3,000,000.

14 (3) 10% shall be retained by the Department of State
15 Police for expenses related to the administration and sale
16 of seized and forfeited property.

17 (Source: P.A. 94-556, eff. 9-11-05.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."