



Sen. John J. Cullerton

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LRB095 07293 DRH 35440 a

1 AMENDMENT TO SENATE BILL 607

2 AMENDMENT NO. _____. Amend Senate Bill 607 on page 128,
3 immediately below line 1, by inserting the following:

4 "(d) Warrant of seizure. Any peace officer employed by a
5 law enforcement agency of this State may request the issuance
6 of a warrant authorizing the seizure of any motor vehicle in
7 the same manner as provided for a search warrant. If the court
8 determines that there is probable cause to believe that the
9 motor vehicle to be seized is subject to forfeiture, the court
10 shall issue a warrant authorizing the seizure of that motor
11 vehicle.

12 (e) If the spouse of the owner of a vehicle seized for an
13 offense described in subsection (a) of this Section makes a
14 showing that the seized vehicle is the family's only source of
15 transportation and it is determined that the financial hardship
16 to the family as a result of the seizure outweighs the benefit
17 to the State from the seizure, the vehicle may be forfeited to
18 the spouse or family member and the title to the vehicle shall

1 be transferred to the spouse or a family member who is properly
2 licensed and who requires the use of the vehicle for employment
3 or family transportation purposes. A written declaration of
4 forfeiture of a vehicle under this Section shall be sufficient
5 cause for the title to be transferred to the spouse or family
6 member. The provisions of this paragraph shall apply only to
7 one forfeiture per vehicle. If the vehicle is the subject of a
8 subsequent forfeiture proceeding by virtue of a subsequent
9 conviction of either spouse or the family member, the spouse or
10 a family member to whom the vehicle was forfeited under the
11 first forfeiture proceeding may not utilize the provisions of
12 this paragraph in another forfeiture proceeding. If the owner
13 of the vehicle seized owns more than one vehicle, the procedure
14 set out in this paragraph may be used for only one vehicle.";
15 and

16 on page 131, line 13, by replacing "may" with "shall"; and

17 on page 137, line 20, by deleting "the county sheriff or".