

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Alabama Justice Information Commission
Rule No. 265-x-3-.07
Rule Title: Electronic Submission of Civil Forfeiture Reporting Data by Law Enforcement
X New _____ Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

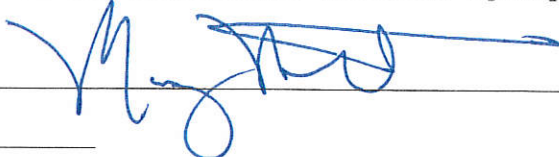
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 
Date 2/19/20

(DATE FILED)
(STAMP)

Alabama Justice Information Center

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Justice Information Commission (AJIC)

RULE NO. & TITLE: 265-X-3- .07 Electronic Submission of Civil Forfeiture Reporting Day by Law Enforcement

INTENDED ACTION: Establish procedures for forfeiture reporting by law enforcement

SUBSTANCE OF PROPOSED ACTION:

Establishing rules for the submission of data related to seizures by law enforcement intended for forfeiture in State Court

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Please bring any comments in writing to ALEA during normal business hours or send comments via email to AJIC@alea.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

All comments must be received by April 3 2020

CONTACT PERSON AT AGENCY:

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AJIC@alea.gov



(Signature of officer authorized

ALABAMA CRIMINAL JUSTICE INFORMATION CENTER COMMISSION
ADMINISTRATIVE CODE

CHAPTER 265-X-3
ALABAMA UNIFORM CRIME REPORTING FORMS

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<u>265-X-3-.07</u>	<u>Electronic Submission of Civil Forfeiture Reporting Data by Law Enforcement</u>
Appendix A	Alabama Uniform Incident/Offense Report
Appendix B	Alabama Uniform Incident/Offense Report Supplement
Appendix C	Alabama Uniform Arrest Report
Appendix D	Sample Police Department Offense/Incident Report Signature Sheet

265-X-3-.07 Electronic Submission Of Civil Forfeiture Reporting Data by Law Enforcement.

(1) Effective May 1, 2020, all law enforcement agencies in Alabama shall submit the following information on all property seized for forfeiture into the state crime reporting system provided through ALEA or through a commission-approved reporting system that transmits incident and offense information to ALEA:

- (a) The date of the seizure.
- (b) The address of the seizure.
- (c) The name of the law enforcement agency that conducted the seizure.
- (d) The type of property seized.

(e) A general description of the property seized.

(f) The name of the person or entity, if known, from whom the property was seized.

(g) A description of the suspected underlying criminal activity that led to the seizure.

(h) Any known arrest, including the date and charge, related to the seizure, and if known, the transaction control number from AFIS.

(2) This submission shall occur when the rest of the offense report is submitted. In no case, however, shall it be submitted more than 90 days past the seizure event.

(3) Effective May 1, 2020, a state, county, or municipal law enforcement agency that receives property or proceeds from the sale of property seized in a criminal event and is forfeited in federal court shall report through electronic submission to ALEA the following information:

(a) The date of the seizure.

(b) The address of the seizure.

(c) The name of the law enforcement agency that conducted the seizure.

(d) The type of property received from the forfeiture, or the amount of proceeds received from the sale of such forfeited property.

(e) A general description of the property received.

(f) The name of the person or entity, if known, from whom the property was seized.

(g) A description of the suspected underlying criminal activity that led to the seizure.

(h) Any known arrest, including the date and charge, related to the seizure which occurred prior to a forfeiture final judgment of the seized property.

(i) Any and all civil case action numbers assigned in federal court.

(j) Any known claimants, including title holders of record or lien holders of record.

(k) The disposition of the property, including the date of any order.

Author: Maury Mitchell

Statutory Authority: Code of Ala. 1975, Section 41-9-620.

History: New rule: Filed ; effective

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