

Text of an amendment recommended by the committee on Bills in the Third Reading to the House Bill relative to the disposition of certain seized controlled substances (House, No. 5182). December 14.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Four.

Striking out all after the enacting clause and inserting in place thereof the following:

1 "SECTION 1. Paragraph (a) of section 47 of chapter 94C of the
2 General Laws, as most recently amended by section I of chapter 132
3 of the acts of 1982, is hereby further amended by inserting after
4 subparagraph (6) the following subparagraph:

5 (6A) Real estate which has been proven to have been in the
6 possession or ownership of the person and used in the furtherance
7 of illegal drug activity by such person; provided, however, that such
8 real estate is not the principal domicile inhabited by the immediate
9 family of any person convicted under this chapter.

1 SECTION 2. Paragraph (d) of said section 47 of said chapter
2 94C, as amended by section 3 of chapter 556 of the acts of 1977, is
3 hereby further amended by inserting after the sixth sentence the
4 following four sentences: Said proceeds once acquired shall be
5 distributed equally between the prosecuting district attorney or
6 attorney general and the city, town, state or metropolitan district
7 police department. If more than one department is substantially
8 involved in the seizure, the court having jurisdiction over the forfei-
9 ture proceedings, shall equitably distribute the fifty per cent among
10 those departments. All such funds shall be deposited in a special law
11 enforcement trust fund and shall be expended to defray the costs of
12 protracted investigations, to provide additional technical equip-
13 ment or expertise, to provide matching funds to obtain federal
14 grants or for such other law enforcement purposes as the chief of
15 police of such city or town, the commissioner of public safety, or the
16 superintendent of the metropolitan district police deems appro-

17 piate, but such funds shall not be considered a source of revenue to
18 meet the operating needs of such department. The reasonable
19 expenses of the forfeiture proceedings and the balance thereof shall
20 be deposited in said law enforcement trust fund.”