

HB0087HS001

1 Page 1-line 8 After "1-40-208(b)" insert "and (c)".  
2  
3 Page 2-line 2 After "needed." delete balance of line.  
4  
5 Page 2-lines 3 through 5 Delete entirely insert "The  
6 prosecuting attorney shall notify the  
7 attorneys for the defendants of the  
8 intention to return the property twenty (20)  
9 days prior to its return to enable the  
10 defendants to seek relief from the court. No  
11 notice is required in the absence of a known  
12 suspect or defendant unless otherwise  
13 ordered by the court. No later than sixty  
14 days (60) after the property is taken as  
15 evidence, the prosecuting attorney shall  
16 make an initial determination whether to  
17 expedite the return of property to the  
18 victim or witness. The prosecuting attorney  
19 in exercising discretion to expedite the  
20 return of property shall consider whether:".  
21  
22 Page 2-line 7 Delete "are" insert "would be".  
23  
24 Page 2-line 8 After "evidence" insert "in lieu of the  
25 property".  
26  
27 Page 2-line 11 Delete "place" insert "lieu"; delete "not".  
28  
29 Page 2-line 14 Delete "not".  
30  
31 Page 2-line 17 Delete "not".  
32  
33 Page 2-After line 17 Insert  
34  
35 (c) The trial court exercising jurisdiction  
36 over a criminal proceeding shall, if  
37 requested, enter appropriate orders to  
38 ~~implement the provisions of this section~~  
39 preserve the property for evidentiary  
40 analysis or use, or return the property to  
41 the victim or witness as appropriate.  
42 KIRKBRIDE, CHAIRMAN  
43