

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 443

Introduced by Senator Mitchell

February 25, 2015

An act to amend Sections 11470.1, 11488.4, 11489, and 11495 of, and to add Sections 11471.2 and 11488.7 to, the Health and Safety Code, relating to forfeiture.

LEGISLATIVE COUNSEL'S DIGEST

SB 443, as amended, Mitchell. Forfeiture: controlled substances.

Existing law subjects certain property to forfeiture, such as controlled substances and equipment used to process controlled substances. Existing law allows peace officers, under specified circumstances, to seize property that is subject to forfeiture. Existing law authorizes specified public agencies to bring an action to recover expenses of seizing, eradicating, destroying, or taking remedial action with respect to any controlled substance. In a forfeiture action with regards to cash or negotiable instruments of a value of not less than \$25,000, existing law requires the state or local agency to prove by clear and convincing evidence that the property is subject to forfeiture. Existing law requires seized property or the proceeds from the sale of that property to be distributed among specified entities. Existing law requires the Attorney General to publish a yearly report on forfeiture within the state.

This bill would require a prosecuting agency to seek or obtain a criminal conviction for the unlawful manufacture or cultivation of any controlled substance or its precursors prior to an entry of judgment for recovery of expenses of seizing, eradicating, destroying, or taking remedial action with respect to any controlled substance. The bill would

prohibit maintaining an action for recovery of expenses against a person who has been acquitted of the underlying criminal charges.

The bill would prohibit state or local law enforcement agencies from transferring seized property to a federal agency seeking adoption by the federal agency of the seized property. The bill would also require that any property seized pursuant to any federal law that authorizes the sharing or transfer of forfeited property be distributed according to state law, thereby imposing a state-mandated local program. The bill would further prohibit state or local agencies from receiving specified seized property if a conviction for the underlying offenses is not obtained or if federal law prohibits distributing the proceeds or property received in accordance with state law.

The bill would require notices of a forfeiture action to contain additional details, such as the rights of an interested party at a forfeiture hearing. The bill would require the court to appoint counsel for the defendant in the forfeiture proceeding if a defendant in a related criminal matter is represented by court-appointed counsel, thereby creating a state-mandated local program. The bill would change the burden of proof that a state or local law enforcement agency must meet to succeed in a forfeiture action with regards to cash or negotiable instruments of a value not less than \$25,000, from a clear and convicting standard to beyond a reasonable doubt.

The bill would allow recovery of attorney's fees for defendants or claimants in a forfeiture action who substantially prevail. The bill would make specified changes to the distribution of proceeds from forfeiture actions under state law, including reducing distributions to seizing law enforcement agencies and prosecutor's offices, and providing distributions to ~~courts and public defenders in the jurisdiction of the proceedings~~ *courts, public defenders, and a specified nonprofit organization providing training in the use of laws permitting seizure and forfeiture of assets*. The bill would also require the Attorney General to include additional information on forfeiture actions in the yearly report.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11470.1 of the Health and Safety Code
2 is amended to read:
3 11470.1. (a) The expenses of seizing, eradicating, destroying,
4 or taking remedial action with respect to, any controlled substance
5 or its precursors shall be recoverable from:
6 (1) Any person who manufactures or cultivates a controlled
7 substance or its precursors in violation of this division.
8 (2) Any person who aids and abets or who knowingly profits
9 in any manner from the manufacture or cultivation of a controlled
10 substance or its precursors on property owned, leased, or possessed
11 by the defendant, in violation of this division.
12 (b) The expenses of taking remedial action with respect to any
13 controlled substance or its precursors shall also be recoverable
14 from any person liable for the costs of that remedial action under
15 Chapter 6.8 (commencing with Section 25300) of Division 20 of
16 the Health and Safety Code.
17 (c) It shall be necessary to seek or obtain a criminal conviction
18 for the unlawful manufacture or cultivation of any controlled
19 substance or its precursors prior to the entry of judgment for the
20 recovery of expenses. If criminal charges are pending against the
21 defendant for the unlawful manufacture or cultivation of any
22 controlled substance or its precursors, an action brought pursuant
23 to this section shall, upon a defendant's request, be continued while
24 the criminal charges are pending.
25 (d) The action may be brought by the district attorney, county
26 counsel, city attorney, the State Department of Health *Care*
27 Services, or Attorney General. All expenses recovered pursuant
28 to this section shall be remitted to the law enforcement agency
29 which incurred them.
30 (e) (1) The burden of proof as to liability shall be on the plaintiff
31 and shall be by a preponderance of the evidence in an action
32 alleging that the defendant is liable for expenses pursuant to
33 paragraph (1) of subdivision (a). The burden of proof as to liability
34 shall be on the plaintiff and shall be by clear and convincing
35 evidence in an action alleging that the defendant is liable for

1 expenses pursuant to paragraph (2) of subdivision (a). The burden
2 of proof as to the amount of expenses recoverable shall be on the
3 plaintiff and shall be by a preponderance of the evidence in any
4 action brought pursuant to subdivision (a).

5 (2) Notwithstanding paragraph (1), for any person convicted of
6 a criminal charge of the manufacture or cultivation of a controlled
7 substance or its precursors there shall be a presumption affecting
8 the burden of proof that ~~that~~ *the* person is liable.

9 (f) Only expenses which meet the following requirements shall
10 be recoverable under this section:

11 (1) The expenses were incurred in seizing, eradicating, or
12 destroying the controlled substance or its precursors or in taking
13 remedial action with respect to a hazardous substance. These
14 expenses may not include any costs incurred in use of the herbicide
15 paraquat.

16 (2) The expenses were incurred as a proximate result of the
17 defendant's manufacture or cultivation of a controlled substance
18 in violation of this division.

19 (3) The expenses were reasonably incurred.

20 (g) For purposes of this section, "remedial action" shall have
21 the meaning set forth in Section 25322.

22 (h) For the purpose of discharge in bankruptcy, a judgment for
23 recovery of expenses under this section shall be deemed to be a
24 debt for willful and malicious injury by the defendant to another
25 entity or to the property of another entity.

26 (i) Notwithstanding Section 526 of the Code of Civil Procedure,
27 the plaintiff may be granted a temporary restraining order or a
28 preliminary injunction, pending or during trial, to restrain the
29 defendant from transferring, encumbering, hypothecating, or
30 otherwise disposing of any assets specified by the court, if it
31 appears by the complaint that the plaintiff is entitled to the relief
32 demanded and it appears that the defendant may dispose of those
33 assets to thwart enforcement of the judgment.

34 (j) The Legislature finds and declares that civil penalties for the
35 recovery of expenses incurred in enforcing the provisions of this
36 division shall not supplant criminal prosecution for violation of
37 those provisions, but shall be a supplemental remedy to criminal
38 enforcement.

39 (k) Any testimony, admission, or any other statement made by
40 the defendant in any proceeding brought pursuant to this section,

1 or any evidence derived from the testimony, admission, or other
2 statement, shall not be admitted or otherwise used in any criminal
3 proceeding arising out of the same conduct.

4 (I) No action shall be brought or maintained pursuant to this
5 section against a person who has been acquitted of criminal charges
6 for conduct which may be the basis for an action under this section.

7 SEC. 2. Section 11471.2 is added to the Health and Safety
8 Code, to read:

9 11471.2. (a) State or local law enforcement authorities shall
10 not refer or otherwise transfer property seized under state law to
11 a federal agency seeking the adoption by the federal agency of the
12 seized property. Nothing in this section shall be construed to
13 prohibit the federal government, or any of its agencies, from
14 seeking forfeiture under federal law.

15 (b) All property, moneys, negotiable instruments, securities, or
16 other things of value received by any state or local law enforcement
17 agency pursuant to any federal law that authorizes the sharing or
18 transfer of all or a portion of forfeited property or the proceeds of
19 the sale of forfeited property to a state or local law enforcement
20 agency shall be promptly transferred, sold, and deposited as set
21 forth in Section 11489.

22 (c) A state or local law enforcement agency may not receive all
23 or a portion of the forfeited property or proceeds from property
24 forfeited pursuant to federal law unless a defendant is convicted
25 in an underlying or related criminal action of an offense specified
26 in Section 11470 or any offense under federal law that includes
27 all of the elements of an offense specified in Section 11470. If
28 federal law prohibits compliance with Section 11489 or if a
29 conviction in the underlying or related criminal action is not
30 obtained, state law enforcement authorities shall not receive
31 forfeited property or proceeds from the sale of forfeited property
32 shared or transferred pursuant to federal law.

33 SEC. 3. Section 11488.4 of the Health and Safety Code is
34 amended to read:

35 11488.4. (a) (1) Except as provided in subdivision (j), if the
36 Department of Justice or the local governmental entity determines
37 that the factual circumstances do warrant that the moneys,
38 negotiable instruments, securities, or other things of value seized
39 or subject to forfeiture come within the provisions of subdivisions
40 (a) to (g), inclusive, of Section 11470, and are not automatically

1 made forfeitable or subject to court order of forfeiture or
2 destruction by another provision of this chapter, the Attorney
3 General or district attorney shall file a petition of forfeiture with
4 the superior court of the county in which the defendant has been
5 charged with the underlying criminal offense or in which the
6 property subject to forfeiture has been seized or, if no seizure has
7 occurred, in the county in which the property subject to forfeiture
8 is located. If the petition alleges that real property is forfeitable,
9 the prosecuting attorney shall cause a lis pendens to be recorded
10 in the office of the county recorder of each county in which the
11 real property is located.

12 (2) A petition of forfeiture under this subdivision shall be filed
13 as soon as practicable, but in any case within one year of the seizure
14 of the property which is subject to forfeiture, or as soon as
15 practicable, but in any case within one year of the filing by the
16 Attorney General or district attorney of a lis pendens or other
17 process against the property, whichever is earlier.

18 (b) Physical seizure of assets shall not be necessary in order to
19 have that particular asset alleged to be forfeitable in a petition
20 under this section. The prosecuting attorney may seek protective
21 orders for any asset pursuant to Section 11492.

22 (c) The Attorney General or district attorney shall make service
23 of process regarding this petition upon every individual designated
24 in a receipt issued for the property seized. In addition, the Attorney
25 General or district attorney shall cause a notice of the seizure, if
26 any, and of the intended forfeiture proceeding, as well as a notice
27 stating that any interested party may file a verified claim with the
28 superior court of the county in which the property was seized or
29 if the property was not seized, a notice of the initiation of forfeiture
30 proceedings with respect to any interest in the property seized or
31 subject to forfeiture, to be served by personal delivery or by
32 registered mail upon any person who has an interest in the seized
33 property or property subject to forfeiture other than persons
34 designated in a receipt issued for the property seized. Whenever
35 a notice is delivered pursuant to this section, it shall be
36 accompanied by a claim form as described in Section 11488.5 and
37 directions for the filing and service of a claim.

38 (d) An investigation shall be made by the law enforcement
39 agency as to any claimant to a vehicle, boat, or airplane whose
40 right, title, interest, or lien is of record in the Department of Motor

Vehicles or appropriate federal agency. If the law enforcement agency finds that any person, other than the registered owner, is the legal owner thereof, and that ownership did not arise subsequent to the date and time of arrest or notification of the forfeiture proceedings or seizure of the vehicle, boat, or airplane, it shall forthwith send a notice to the legal owner at his or her address appearing on the records of the Department of Motor Vehicles or appropriate federal agency.

(e) When a forfeiture action is filed, the notices shall be published once a week for three successive weeks in a newspaper of general circulation in the county where the seizure was made or where the property subject to forfeiture is located.

(f) All notices shall set forth the time within which a claim of interest in the property seized or subject to forfeiture is required to be filed pursuant to Section 11488.5. The notices shall explain, in plain language, what an interested party must do and the time in which the person must act to contest the forfeiture in a hearing. The notices shall state what rights the interested party has at a hearing. The notices shall also state the legal consequences for failing to respond to the forfeiture notice.

(g) Nothing contained in this chapter shall preclude a person, other than a defendant, claiming an interest in property actually seized from moving for a return of property if that person can show standing by proving an interest in the property not assigned subsequent to the seizure or filing of the forfeiture petition.

(h) (1) If there is an underlying or related criminal action, a defendant may move for the return of the property on the grounds that there is not probable cause to believe that the property is forfeitable pursuant to subdivisions (a) to (g), inclusive, of Section 11470 and is not automatically made forfeitable or subject to court order of forfeiture or destruction by another provision of this chapter. The motion may be made prior to, during, or subsequent to the preliminary examination. If made subsequent to the preliminary examination, the Attorney General or district attorney may submit the record of the preliminary hearing as evidence that probable cause exists to believe that the underlying or related criminal violations have occurred.

(2) Within 15 days after a defendant's motion is granted, the people may file a petition for a writ of mandate or prohibition seeking appellate review of the ruling.

(i) (1) With respect to property described in subdivisions (e) and (g) of Section 11470 for which forfeiture is sought and as to which forfeiture is contested, the state or local governmental entity shall have the burden of proving beyond a reasonable doubt that the property for which forfeiture is sought was used, or intended to be used, to facilitate a violation of one of the offenses enumerated in subdivision (f) or (g) of Section 11470.

(2) In the case of property described in subdivision (f) of Section 11470, for which forfeiture is sought and as to which forfeiture is contested, the state or local governmental entity shall have the burden of proving beyond a reasonable doubt that the property for which forfeiture is sought meets the criteria for forfeiture described in subdivision (f) of Section 11470.

(3) In the case of property described in paragraphs (1) and (2), a judgment of forfeiture requires as a condition precedent thereto, that a defendant be convicted in an underlying or related criminal action of an offense specified in subdivision (f) or (g) of Section 11470 which offense occurred within five years of the seizure of the property subject to forfeiture or within five years of the notification of intention to seek forfeiture. If the defendant is found guilty of the underlying or related criminal offense, the issue of forfeiture shall be tried before the same jury, if the trial was by jury, or tried before the same court, if trial was by court, unless waived by all parties. The issue of forfeiture shall be bifurcated from the criminal trial and tried after conviction unless waived by all the parties. If the defendant in the related criminal matter is represented by court-appointed counsel, the trial court shall appoint counsel for the defendant in the forfeiture proceeding.

(4) If there is an underlying or related criminal action, and a criminal conviction is required before a judgment of forfeiture may be entered, the issue of forfeiture shall be tried in conjunction therewith. Trial shall be by jury unless waived by all parties. If there is no underlying or related criminal action, the presiding judge of the superior court shall assign the action brought pursuant to this chapter for trial.

(j) The Attorney General or the district attorney of the county in which property is subject to forfeiture under Section 11470 may, pursuant to this subdivision, order forfeiture of personal property not exceeding twenty-five thousand dollars (\$25,000) in value. The Attorney General or district attorney shall provide notice of

1 proceedings under this subdivision pursuant to subdivisions (c),
2 (d), (e), and (f), including:

3 (1) A description of the property.

4 (2) The appraised value of the property.

5 (3) The date and place of seizure or location of any property
6 not seized but subject to forfeiture.

7 (4) The violation of law alleged with respect to forfeiture of the
8 property.

9 (5) (A) The instructions for filing and serving a claim with the
10 Attorney General or the district attorney pursuant to Section
11 11488.5 and time limits for filing a claim and claim form.

12 (B) If no claims are timely filed, the Attorney General or the
13 district attorney shall prepare a written declaration of forfeiture of
14 the subject property to the state and dispose of the property in
15 accordance with Section 11489. A written declaration of forfeiture
16 signed by the Attorney General or district attorney under this
17 subdivision shall be deemed to provide good and sufficient title
18 to the forfeited property. The prosecuting agency ordering forfeiture
19 pursuant to this subdivision shall provide a copy of the declaration
20 of forfeiture to any person listed in the receipt given at the time of
21 seizure and to any person personally served notice of the forfeiture
22 proceedings.

23 (C) If a claim is timely filed, then the Attorney General or
24 district attorney shall file a petition of forfeiture pursuant to this
25 section within 30 days of the receipt of the claim. The petition of
26 forfeiture shall then proceed pursuant to other provisions of this
27 chapter, except that no additional notice need be given and no
28 additional claim need be filed.

29 (k) If in any underlying or related criminal action or proceeding,
30 in which a petition for forfeiture has been filed pursuant to this
31 section, and a criminal conviction is required before a judgment
32 of forfeiture may be entered, the defendant willfully fails to appear
33 as required, forfeiture shall be ordered as against the defendant
34 and judgment entered upon default, upon application of the state
35 or local governmental entity. In its application for default, the state
36 or local governmental entity shall be required to give notice to the
37 defendant's attorney of record, if any, in the underlying or related
38 criminal action, and to make a showing of due diligence to locate
39 the defendant. In moving for a default judgment pursuant to this
40 subdivision, the state or local governmental entity shall be required

1 to establish a prima facie case in support of its petition for
2 forfeiture.

3 SEC. 4. Section 11488.7 is added to the Health and Safety
4 Code, to read:

5 11488.7. In any forfeiture proceeding under this chapter in
6 which the defendant or claimant substantially prevails, the
7 defendant or claimant shall be entitled to recover reasonable
8 attorneys' fees and other litigation costs reasonably incurred by
9 the defendant or claimant. Any final award of fees and costs shall
10 be paid directly to the defendant's or claimant's attorney.

11 SEC. 5. Section 11489 of the Health and Safety Code is
12 amended to read:

13 11489. Notwithstanding Section 11502 and except as otherwise
14 provided in Section 11473, in all cases where the property is seized
15 pursuant to this chapter and forfeited to the state or local
16 governmental entity and, where necessary, sold by the Department
17 of General Services or local governmental entity, the money
18 forfeited or the proceeds of sale shall be distributed by the state
19 or local governmental entity as follows:

20 (a) To the bona fide or innocent purchaser, conditional sales
21 vendor, or mortgagee of the property, if any, up to the amount of
22 his or her interest in the property, when the court declaring the
23 forfeiture orders a distribution to that person.

24 (b) The balance, if any, to accumulate, and to be distributed and
25 transferred quarterly in the following manner:

26 (1) To the state agency or local governmental entity for all
27 expenditures made or incurred by it in connection with the sale of
28 the property, including expenditures for any necessary costs of
29 notice required by Section 11488.4, and for any necessary repairs,
30 storage, or transportation of any property seized under this chapter.

31 (2) The remaining funds shall be distributed as follows:

32 (A) ~~Sixty-Fifty-four~~ percent to the state, local, or state and local
33 law enforcement entities that participated in the seizure distributed
34 so as to reflect the proportionate contribution of each agency.

35 (i) Fifteen percent of the funds distributed pursuant to this
36 subparagraph shall be deposited in a special fund maintained by
37 the county, city, or city and county of any agency making the
38 seizure or seeking an order for forfeiture. This fund shall be used
39 for the sole purpose of funding programs designed to combat drug
40 abuse and divert gang activity, and shall wherever possible involve

1 educators, parents, community-based organizations and local
2 businesses, and uniformed law enforcement officers. Those
3 programs that have been evaluated as successful shall be given
4 priority. These funds shall not be used to supplant any state or
5 local funds that would, in the absence of this clause, otherwise be
6 made available to the programs.

7 It is the intent of the Legislature to cause the development and
8 continuation of positive intervention programs for high-risk
9 elementary and secondary schoolage students. Local law
10 enforcement should work in partnership with state and local
11 agencies and the private sector in administering these programs.

12 (ii) The actual distribution of funds set aside pursuant to clause
13 (i) shall be determined by a panel consisting of the sheriff of the
14 county, a police chief selected by the other chiefs in the county,
15 and the district attorney and the chief probation officer of the
16 county.

17 (B) Five percent to the prosecutorial agency that processes the
18 forfeiture action.

19 (C) Ten percent to the court in the jurisdiction where the
20 forfeiture proceedings are initiated.

21 (D) Five percent to the public defender's office or provider of
22 court-appointed counsel in the jurisdiction where the forfeiture
23 proceedings were initiated.

24 (E) ~~Twenty~~—*Twenty-four* percent to the General Fund.
25 Notwithstanding Section 13340 of the Government Code, the
26 moneys are hereby continuously appropriated to the General Fund.
27 Commencing January 1, 2016, all moneys deposited in the General
28 Fund pursuant to this subparagraph, in an amount not to exceed
29 ten million dollars (\$10,000,000), shall be made available for
30 school safety and security, upon appropriation by the Legislature,
31 and shall be disbursed pursuant to Senate Bill 1255 of the 1993–94
32 Regular Session, as enacted.

33 (F) *One percent to a private nonprofit organization composed*
34 *of local prosecutors, which shall use these funds for the exclusive*
35 *purpose of providing a statewide program of education and*
36 *training for prosecutors and law enforcement officers in ethics*
37 *and the proper use of laws permitting the seizure and forfeiture*
38 *of assets under this chapter.*

39 (G) *One percent to a private nonprofit organization composed*
40 *of local criminal defense attorneys, which shall use these funds*

1 *for the exclusive purpose of providing a statewide program of*
2 *education and training in the use of laws permitting the seizure*
3 *and forfeiture of assets under this chapter.*

4 (c) Notwithstanding Item 0820-101-469 of the Budget Act of
5 1985 (Chapter ~~111~~ of the *111*, Statutes of 1985), all funds allocated
6 to the Department of Justice pursuant to subparagraph (A) of
7 paragraph (2) of subdivision (b) shall be deposited into the
8 Department of Justice Special Deposit Fund—State Asset Forfeiture
9 Account and used for the law enforcement efforts of the state or
10 for state or local law enforcement efforts pursuant to Section
11 11493.

12 All funds allocated to the Department of Justice by the federal
13 government under its Federal Asset Forfeiture program authorized
14 by the Comprehensive Crime Control Act of 1984 (*Public Law*
15 *98-473*) may be deposited directly into the Narcotics Assistance
16 and Relinquishment by Criminal Offender Fund and used for state
17 and local law enforcement efforts pursuant to Section 11493.

18 Funds that are not deposited pursuant to the above paragraph
19 shall be deposited into the Department of Justice Special Deposit
20 Fund—Federal Asset Forfeiture Account.

21 (d) All funds distributed to the courts pursuant to subparagraph
22 (C) of paragraph (2) of subdivision (b) shall be deposited into the
23 Judicial Asset Forfeiture Fund, which is hereby created in the State
24 Treasury. The moneys in the Judicial Asset Forfeiture Fund, upon
25 appropriation by the Legislature, shall be expended for the purpose
26 of administering the courts in the jurisdiction where the forfeiture
27 proceeding occurred.

28 (e) All the funds distributed to the state or local governmental
29 entity pursuant to subparagraphs (A) and (B) of paragraph (2) of
30 subdivision (b) shall not supplant any state or local funds that
31 would, in the absence of this subdivision, be made available to
32 support the law enforcement and prosecutorial efforts of these
33 agencies.

34 The court shall order the forfeiture proceeds distributed to the
35 state, local, or state and local governmental entities as provided in
36 this section.

37 For the purposes of this section, “local governmental entity”
38 means any city, county, or city and county in this state.

39 SEC. 6. Section 11495 of the Health and Safety Code is
40 amended to read:

1 11495. (a) The funds received by the law enforcement agencies
2 under Section 11489 shall be deposited into an account maintained
3 by the Controller, county auditor, or city treasurer. These funds
4 shall be distributed to the law enforcement agencies at their request.
5 The Controller, auditor, or treasurer shall maintain a record of
6 these disbursements which records shall be open to public
7 inspection, subject to the privileges contained in Sections 1040,
8 1041, and 1042 of the Evidence Code.

9 (b) Upon request of the governing body of the jurisdiction in
10 which the distributions are made, the Controller, auditor, or
11 treasurer shall conduct an audit of these funds and their use. In the
12 case of the state, the governing body shall be the Legislature.

13 (c) Each year, the Attorney General shall publish a report which
14 sets forth the following information for the state, each county, each
15 city, and each city and county:

16 (1) The number of forfeiture actions initiated and administered
17 by state or local agencies under California law, the number of cases
18 adopted by the federal government, and the number of cases
19 initiated by a joint federal-state action that were prosecuted under
20 federal law.

21 (2) The number of cases and the administrative number or court
22 docket number of each case for which forfeiture was ordered or
23 declared.

24 (3) The number of suspects charged with a controlled substance
25 violation.

26 (4) The number of alleged criminal offenses that were under
27 federal or state law.

28 (5) The disposition of cases, including no charge, dropped
29 charges, acquittal, plea agreement, jury conviction, or other.

30 (6) The value of the assets forfeited.

31 (7) The recipients of the forfeited assets, the amounts received,
32 and the date of the disbursement.

33 (d) The Attorney General shall develop administrative guidelines
34 for the collection and publication of the information required in
35 subdivision (c).

36 (e) The Attorney General's report shall cover the calendar year
37 and shall be made no later than March 1 of each year beginning
38 with the year after the enactment of this law.

39 SEC. 7. If the Commission on State Mandates determines that
40 this act contains costs mandated by the state, reimbursement to

- 1 local agencies and school districts for those costs shall be made
- 2 pursuant to Part 7 (commencing with Section 17500) of Division
- 3 4 of Title 2 of the Government Code.