

CS FOR SENATE BILL NO. 158(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/1/09

Referred: Judiciary

Sponsor(s): SENATOR DYSON

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the return of property used as evidence to the owner."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 12.36.020(c) is amended to read:

4 (c) If wrongfully taken or damaged property is not photographed and
5 authenticated under AS 12.45.086 and the property is used as evidence in a criminal
6 proceeding or a children's court proceeding, the law enforcement agency in possession
7 of the property shall return it to the owner upon presentation of satisfactory proof of
8 ownership within 60 days after the final disposition of the case **or when the law**
9 **enforcement agency, after consulting with the prosecuting attorney and the**
10 **defense counsel, determines that the property itself is no longer required to be**
11 **retained as evidence, whichever occurs first.**