

**SENATE BILL NO. 30**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

**BY SENATOR DYSON**

**Introduced: 1/19/11**

**Referred: State Affairs, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act providing for the release of certain property in the custody of a law**  
2 **enforcement agency to the owner under certain conditions."**

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

4 **\* Section 1.** AS 12.36 is amended by adding a new section to read:

5 **Sec. 12.36.070. Return of property by hearing.** (a) The owner of property  
6 not belonging to a law enforcement agency that is in the custody of the agency under  
7 this chapter may request that the agency return the property to the owner.

8 (b) Within 10 days after receipt of a request under (a) of this section and  
9 following reasonable notice to the prosecution, defense, and other interested parties,  
10 the agency shall request a hearing before the court to determine if the property shall be  
11 released to the owner.

12 (c) After a hearing, the court may order the return of the property in the  
13 custody of a law enforcement agency to the owner if

14 (1) the owner provides satisfactory proof of ownership; and

1                   (2) the law enforcement agency fails to prove that the agency or  
2 another interested party is authorized to retain possession of the property.

3                   (d) The court may impose reasonable conditions on an owner claiming  
4 property under this section.