

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Senator Scott

SENATE BILL 76

"AN ACT TO PROVIDE FOR THE FORFEITURE OF ALL MONEY,  
NEGOTIABLE INSTRUMENTS, SECURITIES, EQUIPMENT, SUPPLIES AND  
OTHER PROPERTY USED OR INTENDED FOR USE IN CONNECTION WITH  
ANY UNLAWFUL GAMBLING IN THE STATE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. All money, negotiable instruments, securities, equipment, supplies and other personal property used or intended for use in connection with any unlawful gambling in the State and which is found at or in close proximity to the site of such unlawful gambling shall be subject to seizure by any law enforcement officer and shall be subject to forfeiture to the State of Arkansas.

SECTION 2. The circuit court of any county in which money, negotiable instruments, securities or other personal property is seized as authorized herein may, upon petition of the prosecuting attorney of the district or the law enforcement agency which seized the property, declare the same to be forfeited to the State of Arkansas and direct the sale of all such property other than money.

Upon proof being presented to the circuit court at any time before or after a trial that the objects seized were used or intended for use in connection with any unlawful gambling, the circuit court may enter an order of forfeiture. The burden of proof shall be by preponderance of the evidence. The court upon forfeiture shall direct the sale.

Upon the sale of such property, the proceeds, together with any money seized shall be distributed as follows:

(a) 50% thereof shall be deposited in the State Treasury as special revenues to the credit of the Department of State Police Fund or other fund

out of which the Department of State Police is supported;

(b) 50% thereof to the law enforcement agency which seized the money or property, provided, if the money or property was seized by a federal agency, this 50% shall be deposited in the county treasury of the county in which seized and used exclusively for the support of the office of county sheriff.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

