

Willem,

Below is the alternative Sec. 5 language we briefly discussed before the lunch break. I'm sure Brynn can make it better if the committee is interested.

Sec. 5. 18 V.S.A. § 4243 is amended to read:

§ 4243. PETITION FOR JUDICIAL FORFEITURE PROCEDURE

(a) Conviction required. An asset is subject to forfeiture by judicial determination under section 4241 of this title and 13 V.S.A. § 364 if:

(1) a person is convicted of the criminal offense related to the action for forfeiture;
or

(2) ~~a person is not charged with a criminal offense related to the action for forfeiture based in whole or in part on the person's agreement to provide information regarding the criminal activity of another person.~~ a person is charged with a criminal offense and consents to forfeiture in a written agreement filed with the Court.

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