

2016 Kansas Statutes

60-4111. Claims. (a) Only an owner of or interest holder in property seized for forfeiture may file a claim, and shall do so in the manner provided in this section. The claim shall be mailed to the seizing agency and to the plaintiff's attorney by certified mail, return receipt requested, within 30 days after the effective date of notice of pending forfeiture. No extension of time for the filing of a claim shall be granted except for good cause shown.

(b) The claim and all supporting documents shall be in affidavit form, signed by the claimant under oath, and sworn to by the affiant before one who has authority to administer the oath, under penalty of perjury, K.S.A. 2016 Supp. 21-5903, and amendments thereto, or making a false writing, K.S.A. 2016 Supp. 21-5824, and amendments thereto, and shall set forth all of the following:

- (1) The caption of the proceedings and identifying number, if any, as set forth on the notice of pending forfeiture or complaint, the name of the claimant, and the name of the plaintiff's attorney who authorized the notice of pending forfeiture or complaint.
- (2) The address where the claimant will accept mail.
- (3) The nature and extent of the claimant's interest in the property.
- (4) The date, the identity of the transferor, and a detailed description of the circumstances of the claimant's acquisition of the interest in the property.
- (5) The specific provision of this act relied on in asserting that the property is not subject to forfeiture.
- (6) All essential facts supporting each assertion.
- (7) The specific relief sought.

History: L. 1994, ch. 339, § 11; L. 2011, ch. 30, § 225; July 1.