

ORDINANCE No. **185503**

Provide for civil forfeiture of property that is instrumentality or proceeds of money laundering (Ordinance; amend Code Chapter 14B.50)

The City of Portland ordains:

Section 1. The Council finds:

1. The City is authorized by City Code Chapter 14B.50 to civilly forfeit property associated with certain crimes, but money laundering is not among them.
2. State civil forfeiture law authorizes cities to enact ordinances providing for the civil forfeiture of property that constitutes proceeds or instrumentalities of crime as described in ORS 161.515. (ORS 131A.010(4))
3. Money laundering crimes are undertaken to conceal the proceeds of unlawful activity and the proceeds and instrumentalities of money laundering crimes escape taxation.
4. Laundering a Monetary Instrument (ORS 164.170) and Engaging in a Financial Transaction in Property Derived from Unlawful Activity (ORS 164.172) are crimes as described in ORS 161.515.
5. Proposed Section 14B.50.050 declares moneys involved in the activities defined in ORS 164.170 and ORS 164.172 to be subject to forfeiture, as limited by Section 14B.50.020.
6. Proposed Section 14B.50.055 provides prioritization for the distribution of proceeds from money laundering forfeiture.

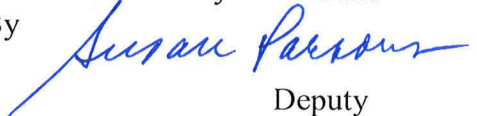
NOW, THEREFORE, the Council directs:

- a. City Code Chapter 14B.50 is hereby amended by adding Sections 14B.50.050 and 14B.50.055 as described in Exhibit A.

Passed by the Council: **JUL 18 2012**

Mayor Sam Adams
Prepared by: Elizabeth Gardiner
Date Prepared: June 21, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By 
Deputy

Agenda No. **185503**
ORDINANCE NO.
 Title

~~Amend City Code to provide for civil forfeiture of property that is instrumentality or proceeds of money laundering (Ordinance; amend City Code Chapter 14B.50)~~

INTRODUCED BY Commissioner/Auditor: Mayor Adams	CLERK USE: DATE FILED <u>JUL 06 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	<div style="text-align: right;"> LaVonne Griffin-Valade Auditor of the City of Portland </div> <div style="margin-top: 20px;"> By: <u></u> <div style="text-align: right;">Deputy</div> </div>
BUREAU APPROVAL Bureau: Police Bureau Head: Chief Michael Reese Prepared by: Elizabeth Gardiner Date Prepared: June 22, 2012	ACTION TAKEN: <div style="display: flex; justify-content: space-between;"> JUL 11 2012 PASSED TO SECOND READING JUL 18 2012 9:30 A.M. </div>
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date July 11, 2012	
City Attorney Approval 	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 min (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	