§ 480.05 Felony controlled substance offenses; forfeiture.

1. When any person is convicted of a felony offense, the following property is subject to forfeiture pursuant to this article:

(a) any property constituting the proceeds or substituted proceeds of such offense, unless the forfeiture is disproportionate to the defendant's gain from or participation in the offense, in which event the trier of fact may direct forfeiture of a portion thereof; and

(b) any property constituting an instrumentality of such offense, other than a real property instrumentality of a crime, unless such forfeiture is disproportionate to the defendant's gain from or participation in the offense, in which event the trier of fact may direct forfeiture of a portion thereof.

2. When any person is convicted of a specified offense, the real property instrumentality of such specified offense is subject to forfeiture pursuant to this article, unless such forfeiture is disproportionate to the defendant's gain from or participation in the offense, in which event the trier of fact may direct forfeiture of a portion thereof.

3. Property acquired in good faith by an attorney as payment for the reasonable and bona fide fees of legal services or reimbursement of reasonable and bona fide expenses related to the representation of a defendant in connection with a civil or criminal forfeiture proceeding or a related criminal matter, shall be exempt from a judgment of forfeiture. For purposes of this subdivision, "bona fide" means that the attorney who acquired such property had no reasonable basis to believe that the fee transaction was a fraudulent or sham transaction designed to shield property from forfeiture, hide its existence from governmental investigative agencies, or was conducted for any purpose other than legitimate.