

Article 27 – Crimes and Punishments

Section 36C(a)

Annotated Code of Maryland

(1987 Replacement Volume and 1989 Supplement)

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 36C(d)

Annotated Code of Maryland

(1987 Replacement Volume and 1989 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article 27 – Crimes and Punishments**

36C.

(a) The following items of property shall be subject to seizure and forfeiture, and, upon forfeiture, no property right shall exist in them:

(i) Any handgun being worn, carried, or transported in violation of § 36B of this article.

(ii) All ammunition or other parts of or appurtenances to any such handgun worn, carried, or transported by such person or found in the immediate vicinity of such handgun.

(d) (1) Whenever property is forfeited under this section, [it shall be turned over to the State Secretary of General Services who may (i) order the property retained for official use of State agencies, or (ii) make such other disposition of the property as he may deem appropriate.] THE LAW ENFORCEMENT AGENCY SEEKING FORFEITURE OF THE PROPERTY MAY:

(I) ORDER THE PROPERTY RETAINED FOR THE OFFICIAL USE OF THE LAW ENFORCEMENT AGENCY; OR

(II) MAKE SUCH OTHER DISPOSITION OF THE PROPERTY AS THE LAW ENFORCEMENT AGENCY DEEMS APPROPRIATE.

(2) WITHIN 30 DAYS OF THE DISPOSITION OF THE FORFEITED PROPERTY, THE LAW ENFORCEMENT AGENCY SHALL NOTIFY THE SUPERINTENDENT OF THE MARYLAND STATE POLICE OF:

(I) THE DESCRIPTION OF THE PROPERTY FORFEITED;

(II) THE TYPE OF DISPOSITION MADE;

(III) THE IDENTITY OF THE PERSON TO WHOM THE PROPERTY WAS TRANSFERRED FOR DISPOSAL, RETENTION, OR RESALE; AND