

(Senate Bill 187)

AN ACT concerning

Handguns - Forfeiture

FOR the purpose of providing a procedure for the handling and disposition of handguns by seizing authorities; and generally relating to the forfeiture of handguns.

BY repealing

Article 27 - Crimes and Punishments
Section 36C(c)
Annotated Code of Maryland
(1976 Replacement Volume and 1976 Supplement)

BY adding to

Article 27 - Crimes and Punishments
Section 36C(c)
Annotated Code of Maryland
(1976 Replacement Volume and 1976 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 36C(c) of Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1976 Replacement Volume and 1976 Supplement) be and it is hereby repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 36C(c) be and it is hereby added to Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1976 Replacement Volume and 1976 Supplement) to read as follows:

Article 27 - Crimes and Punishments

36C.

(C) PROCEDURE RELATING TO FORFEITURE. (1) UPON THE SEIZURE OF A HANDGUN PURSUANT TO THIS SECTION, THE SEIZING AUTHORITY SHALL ATTEMPT TO ASCERTAIN AND LOCATE ITS OWNER BY WHATEVER INQUIRY AND INVESTIGATION IS CONSIDERED APPROPRIATE. IF, AS A RESULT OF AN INQUIRY OR INVESTIGATION, THE NAME AND ADDRESS OF THE REPUTED OWNER OF THE HANDGUN IS ASCERTAINED AND THE OWNER IS A NONRESIDENT OF MARYLAND, THE SEIZING AUTHORITY SHALL NOTIFY THE APPROPRIATE LAW-ENFORCEMENT AGENCY OF THE JURISDICTION OF WHICH THE OWNER IS A RESIDENT AND FORWARD THE HANDGUN TO THAT AGENCY FOR DISPOSITION IF THE HANDGUN IS NOT NEEDED FOR INVESTIGATION OR EVIDENCE OR DISPOSED OF UNDER (4). IF THE OWNER IS A RESIDENT OF THE STATE THE SEIZING AUTHORITY MAY RETURN THE HANDGUN TO THE OWNER. IF THE SEIZING AUTHORITY DOES NOT RETURN THE