IF, AFTER AN ARTICLE HAS BEEN MARKED AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE SECRETARY FINDS THAT THERE IS NOT A GROUND FOR ACTION AGAINST THE ARTICLE, THE SECRETARY SHALL REMOVE THE MARKING AND RELEASE THE ARTICLE.

(D)   JUDICIAL ACTION.

(1)   THE SECRETARY MAY PROCEED FURTHER AGAINST ANY ARTICLE AS TO WHICH THERE IS A GROUND FOR ACTION BY FILING A PETITION FOR AN ORDER WITH THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE ARTICLE IS LOCATED. THE PETITION MAY REQUEST ANY RELIEF PERMITTED BY THIS SUBSECTION.

(2)   IF THE COURT FINDS THAT THERE IS A VALID GROUND FOR ACTION AGAINST THE ARTICLE, THE COURT MAY PROCEED BY ISSUING AN ORDER:

(I)   OF FORFEITURE FOR DESTRUCTION; OR

(II)   TO HAVE THE ARTICLE DELIVERED TO ITS CLAIMANT AND HAVE THE VIOLATION CORRECTED BY PROPER LABELING OR PROCESSING.

(3)   IF THE COURT ISSUES AN ORDER OF FORFEITURE FOR DESTRUCTION, THE ARTICLE SHALL BE DESTROYED UNDER THE SUPERVISION OF THE SECRETARY AND THE OWNER SHALL PAY ALL COURT, STORAGE, AND DESTRUCTION COSTS, AND ANY OTHER COST THAT IS INCURRED THROUGH THE ENFORCEMENT OF THIS SUBTITLE AGAINST THE ARTICLE.

(4)   IF THE COURT ISSUES AN ORDER TO HAVE THE ARTICLE DELIVERED TO ITS CLAIMANT FOR CORRECTION OF THE VIOLATION, THE ORDER SHALL REQUIRE THAT THE CLAIMANT:

(I)   CORRECT THE VIOLATION UNDER THE SUPERVISION OF A REPRESENTATIVE OF THE SECRETARY;

(II)   PAY ALL COURT AND STORAGE COSTS, THE EXPENSE OF SUPERVISION BY THE REPRESENTATIVE OF THE SECRETARY, AND ANY OTHER COST THAT IS INCURRED THROUGH THE ENFORCEMENT OF THIS SUBTITLE AGAINST THE ARTICLE; AND

(III)   POST A BOND THAT IS CONDITIONED ON THE OBLIGATION THAT THE ARTICLE BE LABELED OR PROCESSED PROPERLY AND THAT THE EXPENSE OF SUPERVISION BY THE REPRESENTATIVE OF THE SECRETARY BE PAID.

(5)   A BOND THAT IS POSTED UNDER THIS SUBSECTION SHALL BE DISCHARGED ON A REPRESENTATION TO THE COURT BY THE SECRETARY THAT THERE NO LONGER IS A GROUND FOR ACTION AGAINST THE ARTICLE AND THAT THE EXPENSE OF SUPERVISION HAS BEEN PAID.

REVISOR'S NOTE: This section is new language derived