

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

Article 27 - Crimes and Punishments

297.

(b) (1) Any property subject to forfeiture under this subheading may be seized upon process issued by any court having jurisdiction over the property except that seizure without such process may be made when--

[(1)] (I) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

[(2)] (II) The property subject to seizure has been the subject of a prior judgment in favor of the State in a criminal injunction or forfeiture proceeding under this subheading;

[(3)] (III) There is probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

[(4)] (IV) There is probable cause to believe that the property has been used or intended to be used in violation of this subheading.

(2) In the event of seizure pursuant to paragraphs ~~{3}~~ (1)(III) and ~~{4}~~ (1)(IV) of this subsection, proceedings under subsection (d) of this section shall be instituted promptly, except all proceedings relating to money or currency, which shall be instituted within 90 days from the date of final disposition of criminal proceedings which arise out of Article 27, § 276 through § 302 inclusive.

(i) All applications for the forfeiture of money or currency contraband shall be made by the director of finance of Baltimore City, the county treasurer, municipal treasurer, or the Attorney General. The applications shall be by petition, affidavit and show cause order and shall be filed in the District Court or circuit court of the county.

(ii) The petition, affidavit and show cause order shall be served in the first instance pursuant to Rule 104 of the Maryland Rules of Procedure or Rule No. 104 of the Maryland District Rules, and thereafter, the summons having been returned non est the director of finance of Baltimore City, county treasurer, municipal treasurer, or attorney general may proceed pursuant to Rule 105 b, subsection 2 and subsection 3 of the Maryland Rules of Procedure as amended, or Rule No. 104 h of the Maryland District Rules.