

(iii) § 11-207 or § 11-208 of the Criminal Law Article, relating to pornography.]

[(2)] Notwithstanding any provision of the Maryland Rules, a circuit court judge or District Court judge, on a finding of good cause, may order that an affidavit presented in support of a search and seizure warrant be sealed for a period not exceeding ~~30~~ 60 days.

[(3)] (2) A finding of good cause required by paragraph [(2)] (1) of this subsection is established by evidence that:

(i) the criminal investigation to which the affidavit is related is of a continuing nature and likely to yield further information that could be of use in prosecuting alleged criminal activities; and

(ii) the failure to maintain the confidentiality of the investigation would:

1. jeopardize the use of information already obtained in the investigation;
2. impair the continuation of the investigation; or
3. jeopardize the safety of a source of information.

(3) A COURT MAY GRANT ONE ~~OR MORE 45-DAY EXTENSIONS~~ 30-DAY EXTENSION OF THE TIME THAT AN AFFIDAVIT PRESENTED IN SUPPORT OF A SEARCH AND SEIZURE WARRANT IS TO REMAIN SEALED IF:

(I) LAW ENFORCEMENT PROVIDES CONTINUED EVIDENCE AS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION; AND

(II) THE COURT MAKES A FINDING OF GOOD CAUSE BASED ON THE EVIDENCE.

(4) After the order sealing the affidavit expires, the affidavit shall be:

- (i) unsealed; and
- (ii) delivered within 15 days:
 1. to the person from whom the property was taken; or
 2. if that person is not on the premises at the time of delivery, to the person apparently in charge of the premises from which the property was taken.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved May 26, 2005.