

Article - Courts and Judicial Proceedings

3-702.

(b) (1) Upon receiving the petition, a judge {shall grant the writ of habeas corpus immediately, if it appears that the petitioner is entitled to the relief}-MAY- , OR SHALL IMMEDIATELY REFER THE APPLICATION TO ANY COURT IN THE JUDICIAL CIRCUIT IN WHICH THE PERSON CONFINED WAS CONVICTED, WITHOUT TAKING ANY OTHER ACTION ON THE APPLICATION.

(2) AN APPLICATION MAY NOT BE REFERRED TO ANY JUDGE WHO PRESIDED AT THE TRIAL AT WHICH THE PERSON WAS CONVICTED, EXCEPT WITH THE WRITTEN CONSENT OF THE APPLICANT OR THE PERSON CONFINED.

(3) A COURT TO WHICH AN APPLICATION FOR A WRIT HAS BEEN REFERRED SHALL ACT IMMEDIATELY ON THE APPLICATION AND HAS NO POWER TO REFER OR TRANSFER THE APPLICATION.

(4) IN EXERCISING DISCRETION, THE JUDGE TO WHOM AN APPLICATION FOR A WRIT IS MADE SHALL CONSIDER THE INTERESTS AND CONVENIENCE OF ALL PARTIES CONCERNED, INCLUDING THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 29, 1984.

CHAPTER 549

(Senate Bill 589)

AN ACT concerning

Forfeitures and Seizure of Motor Vehicles

FOR the purpose of providing that in the event of seizure of a motor vehicle under certain circumstances, a hearing or forfeiture shall be scheduled within a certain time, providing an exception to certain State authority to dispose of certain forfeited property, providing that a State's Attorney shall notify the Motor Vehicle Administration within a certain time upon seizure of a motor vehicle and a recommendation for forfeiture, requiring a State's Attorney to notify the owner of a motor vehicle within a certain time of the seizure and of a certain determination, requiring a hearing on the forfeiture of a motor vehicle to be scheduled within a certain time, requiring a motor vehicle subject to a bona fide recorded security interest to be released to a certain party under certain circumstances, allowing a