

Article 27 - Crimes and Punishments

297.

(a) The following shall be subject to forfeiture and no property right shall exist in them:

(6) All money, coin, or currency which has been used or intended for use in connection with the illegal manufacture, distribution, dispensing or possession of controlled dangerous substances or controlled paraphernalia. All money, coin, or currency which is found in close proximity to contraband controlled dangerous substances, controlled paraphernalia, or forfeitable records of the importation, manufacture, or distribution of controlled dangerous substances are presumed to be forfeitable under this paragraph. The burden of proof is upon a claimant of the property to rebut this presumption.

This money or currency shall be deemed to be contraband of law and all rights, title and interest in and to the money or currency shall immediately vest in and to Baltimore City or the county in which it was seized IF IT WAS SEIZED BY A COUNTY OR BALTIMORE CITY LAW ENFORCEMENT AGENCY, INCLUDING A LOCAL SHERIFF'S DEPARTMENT WHICH IS THE LAW ENFORCEMENT AGENCY, the municipal corporation, if seized by municipal authorities, or, if it was seized by State LAW ENFORCEMENT authorities, the State; and no such money or currency shall be returned to any person claiming it, or to any other person, except in the manner hereinafter provided;

(7) All drug paraphernalia as prohibited by § 287A of this article, and controlled paraphernalia as prohibited by § 287 of this article; and

(8) Everything of value furnished, or intended to be furnished, in exchange for a controlled dangerous substance in violation of this subheading, all proceeds traceable to such an exchange, and all negotiable instruments and securities used, or intended to be used, to facilitate any violation of this subheading. However, property may not be forfeited under this paragraph, to the extent of the interest of any owner, by reason of any act or omission established by the owner to have been committed or omitted without the owner's knowledge or consent.

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

Approved May 29, 1984.
