

1-2A-01.

(A) UNLESS OTHERWISE PROVIDED BY LAW, THE DEPARTMENT SHALL MAINTAIN CUSTODY OF ANY ABANDONED, LOST, OR SEIZED PERSONAL PROPERTY THAT COMES INTO THE CUSTODY OF THE DEPARTMENT UNTIL THE DEPARTMENT DETERMINES THAT THE CUSTODY BY THE DEPARTMENT IS NOT NECESSARY TO ANY INVESTIGATION OR PROSECUTION.

(B) UNLESS OTHERWISE PROVIDED BY LAW, AFTER A DETERMINATION DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL RETURN ABANDONED, LOST, OR SEIZED PERSONAL PROPERTY TO THE PERSON WHO:

(1) ESTABLISHES THE PERSON'S RIGHT TO POSSESSION OF THE ABANDONED, LOST, OR SEIZED PERSONAL PROPERTY; AND

(2) GIVES A PROPER RECEIPT FOR THE ABANDONED, LOST, OR SEIZED PERSONAL PROPERTY.

(C) (1) UNLESS OTHERWISE PROVIDED BY LAW, IF ABANDONED, LOST, OR SEIZED PERSONAL PROPERTY IS IN THE CUSTODY OF THE DEPARTMENT FOR 6 MONTHS OR CUSTODY BY THE DEPARTMENT IS NOT NECESSARY TO ANY INVESTIGATION OR PROSECUTION, THE DEPARTMENT SHALL GIVE NOTICE BY CERTIFIED MAIL TO THE LAST KNOWN ADDRESS OF THE PERSON ENTITLED TO POSSESSION, IF KNOWN.

(2) UNLESS OTHERWISE PROVIDED BY LAW, IF THE PERSON ENTITLED TO POSSESSION OF THE ABANDONED, LOST, OR SEIZED PERSONAL PROPERTY FAILS TO RESPOND TO THE NOTICE DESCRIBED UNDER THIS SUBSECTION WITHIN 30 DAYS FROM THE DATE THE NOTICE IS MAILED, THE DEPARTMENT MAY DISPOSE OF THE PROPERTY IN THE BEST INTEREST OF THE STATE.

4-2A-07.

(b) Any natural resource police officer or any law enforcement officer may conduct searches as provided by law, and execute a warrant to search for and seize any equipment, business records, merchandise, fish taken, used or possessed in connection with a violation of any subsection. Any natural resources police officer or law enforcement officer, without a warrant, may arrest any person who the officer has probable cause to believe is violating, in his presence or view, this subtitle, any rule or regulation, or permit provided for by this subtitle. Any natural resource police officer or law enforcement officer who has made an arrest of a person in connection with any violation may search the person, premises, or business records at the time of arrest and may seize any fish, records, or property taken, or used in connection with any violation.

(c) Equipment, merchandise, fish or records seized under the provisions of subsection (b) shall be held by any natural resource police officer or law enforcement officer pending