

the same to a location designated either by the Maryland State Police or by the law-enforcement agency having jurisdiction in the locality.

(c) (1) Upon the seizure of a handgun pursuant to this section, the seizing authority shall attempt to ascertain and locate its owner by whatever inquiry and investigation is considered appropriate. If, as a result of an inquiry or investigation, the name and address of the reputed owner of the handgun is ascertained and the owner is a nonresident of Maryland, the seizing authority shall notify the appropriate law-enforcement agency of the jurisdiction of which the owner is a resident and forward the handgun to that agency for disposition if the handgun is not needed for investigation or evidence or disposed of under (4). If the owner is a resident of the State the seizing authority may return the handgun to the owner. If the seizing authority does not return the handgun, it shall promptly notify the owner that he may apply within 30 days to the seizing authority for a review to determine whether the owner knew or should have known that the handgun was worn, carried, transported or used in violation of § 36B, and whether the owner is qualified to possess it. Qualification for possession is the same as for sale or transfer under § 442 of this article. Knowingly giving false information or making a material misstatement in the application for review or an investigation pursuant thereto is subject to the penalties set forth in § 448 of this article.

(2) Upon timely receipt of an application, the seizing authority shall hold an informal review not subject to the Administrative Procedure Act on the matter of whether the owner either knew or should have known of the use or intended use of the handgun in violation of § 36B. If, after that review, the determination of the seizing authority is favorable to the owner, the handgun shall be released to the owner if he is qualified to possess it, unless the handgun is needed as evidence in a criminal case or investigation, in which event the handgun shall be promptly returned upon the final conclusion of the case or investigation.

(3) If the seizing authority determines after review that the handgun should be forfeited to the State, the owner shall be so notified at his last known address and within 30 days thereafter he may petition the appropriate District Court for release of the handgun to him. The State's attorney shall represent the State in the action. The court shall hear the matter and grant whatever relief is proper and in accordance with this subsection.

(4) In a proceeding in a criminal cause involving a seized handgun a court may order forfeiture or release of the seized handgun in accordance with the criteria for release set forth in this subsection: Persons who have made written claim of ownership of a handgun to the seizing authority or the State's