

VETOES

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

May 27, 1988

The Honorable R. Clayton Mitchell, Jr.
Speaker of the House of Delegates
State House
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 805.

This bill facilitates the seizure, forfeiture and sale of motor vehicles by the State which were used to transport or facilitate the sale of controlled dangerous substances. The bill requires a State's Attorney to include in a petition for forfeiture an oath or affirmation that the contents of the petition are true. The bill allows the court to order forfeiture of the motor vehicle without a hearing if a party fails to file a defense to the petition for forfeiture within 15 days of its publication.

Senate Bill 385, which was passed by the General Assembly and signed by me on May 27, 1988, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 805.

Sincerely,
William Donald Schaefer
Governor

House Bill No. 805

AN ACT concerning

Forfeiture - Motor Vehicles

FOR the purpose of requiring that a petition for forfeiture of a motor vehicle include a certain oath or affirmation by the State's Attorney; authorizing a court to order forfeiture of the property interest of a party in a seized motor vehicle without a hearing under certain circumstances; clarifying that a motor vehicle is required to be released to a certain secured party of record under certain circumstances; providing that the laws relating to forfeiture of seized