

General. The applications shall be by [petition] COMPLAINT, affidavit and show cause order and shall be filed in the District Court or circuit court of the county.

(ii) The [petition] COMPLAINT, affidavit and show cause order shall be served in the first instance pursuant to Maryland Rule 2-121 or Maryland Rule 3-121(a), and thereafter, the summons having been returned non est, the director of finance of Baltimore City, county treasurer OR APPROPRIATE COUNTY FINANCE OFFICER, municipal treasurer, or Attorney General may proceed pursuant to Maryland Rule 2-122 or Maryland Rule 3-121(b) or (c).

(3) (i) If proceedings relating to money or currency are not instituted by the State or a political subdivision within the 90-day period, the money or currency seized under this section, upon petition by the defendant, shall be returned to the defendant.

(ii) If the defendant fails to petition for return of the money or currency within 1 year from the date of final disposition of criminal proceedings, the money or currency shall revert to the treasury as provided by subsection [(d)] (F) of this section.

[(c)] (E) Property taken or detained under this section shall not be repleviable, but shall be deemed to be in the custody of the [person who seized said property] SEIZING AGENCY subject only to the orders, JUDGMENTS, and decrees of the court or the official having jurisdiction thereof. Whenever property is seized under the provisions of this subheading, the [person who seized said property] SEIZING AGENCY may:

(1) Place the property under seal; and

(2) Remove the property to a place designated by the court.

[(d)] (F) Except as provided under subsection [(j)] (K) of this section, whenever property is forfeited under this subheading, the political subdivision in which such property was seized, or, if the property was seized by State authorities, the State may:

(1) Retain the property for official use (except, whenever coin, currency, or property is seized by the Baltimore City police, and forfeited under this subheading, it shall be surrendered to the City of Baltimore for disposition according to this section);

(2) Sell any forfeited property which is not required to be destroyed by law and which is not harmful to the public, provided that the proceeds be disposed of for payment of all proper expenses of the proceedings for forfeiture and sale