

including expenses of seizure, maintenance of custody, advertising and court costs; or

(3) Require an appropriate agency to take custody of the property and remove it for disposition in accordance with law, or destruction.

[(e)] (G) All substances listed in Schedule I that are possessed, transferred, sold or offered for sale in violation of the provisions of this subheading shall be deemed contraband and seized and summarily forfeited to the State. Similarly, all substances listed in Schedule I, which are seized or come into the possession of the State, the owners of which are unknown, shall be deemed contraband and summarily forfeited to the State.

(1) All species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this subheading, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the State.

(2) The failure, upon demand by the Department, or its duly authorized agent, of the person in occupancy or in control of land or premises upon which such species of plants are growing or being stored, to produce an appropriate registration, or proof that he is the holder thereof, shall constitute authority for the seizure and forfeiture.

(H) (1) ~~+++ PROCEEDINGS UNDER THIS SECTION SHALL BE CONDUCTED AS IN REM PROCEEDINGS UNDER TITLE 2 OR TITLE 3 OF THE MARYLAND RULES, AS APPLICABLE TO THE COURT IN WHICH THE ACTION WAS INSTITUTED.~~

+++ EXCEPT AS PROVIDED IN § 4-401(8) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE, ALL PROCEEDINGS UNDER THIS SECTION SHALL BE INSTITUTED IN THE CIRCUIT COURT BY THE APPROPRIATE FORFEITING AUTHORITY.

(2) (I) EXCEPT AS PROVIDED UNDER SUBSECTION (D)(2) OF THIS SECTION AND SUBPARAGRAPH (II) OF THIS PARAGRAPH, A COMPLAINT SEEKING FORFEITURE SHALL BE FILED WITHIN THE EARLIER OF 90 DAYS OF:

1. 90 DAYS FOLLOWING THE SEIZURE; OR

2. WHEN CRIMINAL PROCEEDINGS WERE

INSTITUTED.

2. ONE YEAR FOLLOWING THE FINAL DISPOSITION OF A CRIMINAL CHARGE FOR A VIOLATION UNDER THIS SUBHEADING GIVING RISE TO THE FORFEITURE.