

- (1) grant or deny the application for return of seized alcoholic beverages, cigarettes, or conveyances used for their transportation; and
- (2) mail the person a notice of the final determination.]

13-839.

(A) IF A PERSON FILES A CLAIM FOR RETURN OF SEIZED ALCOHOLIC BEVERAGES, CIGARETTES, OR A CONVEYANCE USED FOR THEIR TRANSPORTATION UNDER § 13-837 OF THIS SUBTITLE, THE COMPTROLLER OR THE COMPTROLLER'S DESIGNEE SHALL:

- (1) PROMPTLY ACT ON THE REQUEST AND HOLD AN INFORMAL HEARING;
- (2) DIRECT THE RETURN OF ALCOHOLIC BEVERAGES OR CIGARETTES UNLESS THE COMPTROLLER OR COMPTROLLER'S DESIGNEE HAS SATISFACTORY PROOF THAT THE PERSON WAS NOT IN COMPLIANCE WITH ANY PROVISIONS OF TITLE 5 OR TITLE 12 OF THIS ARTICLE AT THE TIME OF SEIZURE; AND
- (3) DIRECT THE RETURN OF THE CONVEYANCE IF THE COMPTROLLER OR COMPTROLLER'S DESIGNEE HAS SATISFACTORY PROOF THAT THE OWNER OF THE CONVEYANCE WAS NOT WILLFULLY EVADING ANY PROVISIONS OF TITLE 5 OR TITLE 12 OF THIS ARTICLE AT THE TIME OF SEIZURE.

(B) THE COMPTROLLER OR COMPTROLLER'S DESIGNEE SHALL GRANT OR DENY THE APPLICATION FOR RETURN OF SEIZED ALCOHOLIC BEVERAGES, CIGARETTES, OR A CONVEYANCE IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION BY MAILING THE PERSON A NOTICE OF FINAL DETERMINATION.

13-841.

(b) (1) The Comptroller shall sell contraband cigarettes seized under this title and forfeited to a State institution [or], a nonprofit charitable institution, A LICENSED CIGARETTE WHOLESALER, OR A LICENSED CIGARETTE MANUFACTURER [at the price and] in the manner the Comptroller determines.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved April 30, 1996.

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**CHAPTER 244**

**(House Bill 555)**

AN ACT concerning

**Department of Housing and Community Development - Community Development Administration - Infrastructure Financial Assistance**

FOR the purpose of authorizing local governments to issue local infrastructure financing