

~~(B)~~ (C) (1) THE COMMISSIONER OF CORRECTION, THE DIRECTOR OF THE PATUXENT INSTITUTION, AND THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES SHALL ADOPT REGULATIONS:

(I) TO DEFINE WHAT PROPERTY CONSTITUTES CONTRABAND IN STATE CORRECTIONAL FACILITIES;

(II) TO ESTABLISH PROCEDURES FOR THE CONFISCATION OF CONTRABAND BY STAFF OF STATE CORRECTIONAL FACILITIES; AND

(III) TO ESTABLISH PROCEDURES GOVERNING HEARINGS ON THE ISSUE OF FORFEITURE OF CONFISCATED PROPERTY.

(2) (I) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AN INMATE WHOSE PROPERTY IS CONFISCATED AS CONTRABAND SHALL BE NOTIFIED OF THE RIGHT TO HAVE THE PROPERTY REMOVED FROM THE STATE CORRECTIONAL FACILITY OR SENT TO A PERSON OUTSIDE THE STATE CORRECTIONAL FACILITY AT THE INMATE'S EXPENSE.

(II) IF AN INMATE FAILS TO HAVE PROPERTY REMOVED FROM OR SENT OUTSIDE THE STATE CORRECTIONAL FACILITY WITHIN 30 DAYS AFTER RECEIPT OF NOTICE OF CONFISCATION, THE PROPERTY SHALL BE DEEMED ABANDONED PROPERTY UNDER SUBSECTION ~~(C)~~ (D)(2) AND (3) OF THIS SECTION.

(3) (I) PROPERTY CONFISCATED AS CONTRABAND MAY BE SUBJECT TO FORFEITURE.

(II) PROPERTY MAY NOT BE FORFEITED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, UNLESS, PRIOR TO FORFEITURE, THE STATE CORRECTIONAL FACILITY PROVIDES NOTICE TO THE INMATE:

1. THAT THE PROPERTY HAS BEEN CONFISCATED; AND
2. OF THE RIGHT TO A HEARING ON THE ISSUE OF FORFEITURE.

(III) A HEARING ON A DISCIPLINARY INFRACTION MAY INCLUDE THE ADJUDICATION OF ANY ISSUE OF FORFEITURE OF CONFISCATED PROPERTY.

~~(C)~~ (D) (1) PERSONAL PROPERTY THAT IS UNCLAIMED WITHIN THE 30-DAY HOLDING PERIOD ESTABLISHED UNDER ~~SUBSECTION (A)~~ SUBSECTION (B) OF THIS SECTION SHALL BE DEEMED ABANDONED PROPERTY.

(2) ABANDONED PROPERTY MAY BE SOLD, CONVERTED TO THE USE OF THE DIVISION OF CORRECTION, THE PATUXENT INSTITUTION, OR THE DIVISION OF PRETRIAL DETENTION AND SERVICES, OR OTHERWISE DISPOSED OF IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY REGULATION.

(3) ALL CLAIMS TO ABANDONED PROPERTY ARE ABSOLUTELY BARRED.

~~(D)~~ (E) (1) THIS SECTION DOES NOT CREATE OR RECOGNIZE ANY CAUSE, ACTION, OR DEFENSE OR ABRIDGE ANY IMMUNITY OF THE DEPARTMENT OR ANY OF ITS UNITS, OFFICIALS, OR EMPLOYEES.