

The former reference to "the date on which any criminal charge giving rise to a forfeiture under this section is terminated" is deleted as misleading and unnecessary, because "final disposition" in its ordinary meaning does not mean a date but does imply the termination of a criminal charge.

Defined term: "Nolle prosequi" § 1-101

(F) FORFEITING AUTHORITY.

"FORFEITING AUTHORITY" MEANS:

(1) THE UNIT OR PERSON DESIGNATED BY AGREEMENT BETWEEN THE STATE'S ATTORNEY FOR A COUNTY AND THE CHIEF EXECUTIVE OFFICER OF THE GOVERNING BODY HAVING JURISDICTION OVER ASSETS SUBJECT TO FORFEITURE TO ACT ON BEHALF OF THE GOVERNING BODY REGARDING THOSE ASSETS; OR

(2) IF THE SEIZING AUTHORITY IS A UNIT OF THE STATE, A UNIT OR PERSON THAT THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S DESIGNEE DESIGNATES BY AGREEMENT WITH A STATE'S ATTORNEY, COUNTY ATTORNEY, OR MUNICIPAL ATTORNEY TO ACT ON BEHALF OF THE STATE REGARDING ASSETS SUBJECT TO FORFEITURE BY THE STATE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 297(a)(5).

In item (1) of this subsection, the phrase "to act on behalf of the governing body regarding those assets" is added for clarity.

Also in item (1) of this subsection, the former reference to "from time to time" is deleted as unnecessary in determining who is the forfeiting authority.

Defined terms: "Chief executive officer" § 12-101

"County" § 1-101

"Person" § 1-101

"Seizing authority" § 12-101

(G) GOVERNING BODY.

"GOVERNING BODY" INCLUDES:

- (1) THE STATE, IF THE SEIZING AUTHORITY IS A UNIT OF THE STATE;
- (2) A COUNTY, IF THE SEIZING AUTHORITY IS A UNIT OF A COUNTY;
- (3) A MUNICIPAL CORPORATION, IF THE SEIZING AUTHORITY IS A UNIT OF A MUNICIPALITY; AND
- (4) BALTIMORE CITY, IF THE SEIZING AUTHORITY IS THE POLICE DEPARTMENT OF BALTIMORE CITY.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 297(a)(6).