

(9) EXCEPT AS PROVIDED IN § 12-103 OF THIS SUBTITLE, THE REMAINING BALANCE OF THE PROCEEDS OF A SALE BY A HOLDER OF AN INSTALLMENT SALE AGREEMENT UNDER § 12-626 OF THE COMMERCIAL LAW ARTICLE OF GOODS SEIZED UNDER THIS SUBTITLE;

(10) EXCEPT AS PROVIDED IN § 12-103 OF THIS SUBTITLE, REAL PROPERTY; AND

(11) EVERYTHING OF VALUE FURNISHED, OR INTENDED TO BE FURNISHED, IN EXCHANGE FOR A CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF THE CONTROLLED DANGEROUS SUBSTANCES LAW, ALL PROCEEDS TRACEABLE TO THE EXCHANGE, AND ALL NEGOTIABLE INSTRUMENTS AND SECURITIES USED, OR INTENDED TO BE USED, TO FACILITATE ANY VIOLATION OF THE CONTROLLED DANGEROUS SUBSTANCES LAW.

(B) MONEY AND WEAPONS.

(1) (I) MONEY OR WEAPONS THAT ARE FOUND IN CLOSE PROXIMITY TO A CONTRABAND CONTROLLED DANGEROUS SUBSTANCE, CONTROLLED PARAPHERNALIA, OR FORFEITABLE RECORDS OF THE IMPORTATION, MANUFACTURE, OR DISTRIBUTION OF CONTROLLED DANGEROUS SUBSTANCES ARE CONTRABAND AND PRESUMED TO BE FORFEITABLE.

(II) A CLAIMANT OF MONEY OR WEAPONS HAS THE BURDEN TO REBUT THE PRESUMPTION.

(2) ALL RIGHTS IN, TITLE TO, AND INTEREST IN THE MONEY OR WEAPONS IMMEDIATELY SHALL VEST IN:

(I) THE STATE, IF THE SEIZING AUTHORITY WAS A STATE UNIT;

(II) THE COUNTY IN WHICH THE MONEY OR WEAPONS WERE SEIZED, IF THE SEIZING AUTHORITY WAS A COUNTY LAW ENFORCEMENT UNIT, INCLUDING A SHERIFF'S OFFICE; OR

(III) THE MUNICIPAL CORPORATION IN WHICH THE MONEY OR WEAPONS WERE SEIZED, IF THE SEIZING AUTHORITY WAS A LAW ENFORCEMENT UNIT OF A MUNICIPAL CORPORATION.

(3) THE MONEY OR WEAPONS MAY BE RETURNED TO THE CLAIMANT ONLY AS THIS TITLE PROVIDES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(b)(1) through the introductory language of (4) and (5) through (10).

In this section, the former references to "coin" and "currency" are deleted in light of the reference to "money".

In subsection (a)(9) of this section, the former reference to goods seized by a "department, bureau or force" is deleted in light of the reference to "goods seized under this subtitle".