

A PHOTOGRAPH TAKEN UNDER SUBSECTION (B) OF THIS SECTION MAY BE SUBSTITUTED FOR MONEY AS EVIDENCE IN A CRIMINAL OR FORFEITURE PROCEEDING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(d)(1) and, as it related to seizure with or without process, § 297A.

Throughout this section, the references to "money" are substituted for the former references to "coin and currency" for brevity.

In subsection (a) of this section, the reference to a "warrant" is substituted for the former reference to a "process" for clarity.

In subsection (b) of this section, the former reference to a seizing authority being required to "cause it [money] to be" immediately photographed is deleted for brevity.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that in subsection (b) of this section, the State Treasurer is not included along with local financial authorities to whose account contraband money is to be deposited.

Defined terms: "Controlled Dangerous Substances law" § 12-101

"Local financial authority" § 12-101

"Property" § 12-101

"Seizing authority" § 12-101

12-203. SEIZED PROPERTY NOT REPLEVIABLE; SEQUESTERING AND REMOVING SEIZED PROPERTY.

(A) PROPERTY NOT REPLEVIABLE.

PROPERTY SEIZED UNDER THIS TITLE:

(1) IS NOT REPLEVIABLE; BUT

(2) IS IN THE CUSTODY OF THE SEIZING AUTHORITY, SUBJECT ONLY TO THE ORDERS, JUDGMENTS, AND DECREES OF THE COURT OR THE OFFICIAL HAVING JURISDICTION OVER THE PROPERTY.

(B) SEQUESTERING AND REMOVING PROPERTY.

A SEIZING AUTHORITY MAY PLACE SEIZED PROPERTY UNDER SEAL AND REMOVE THE PROPERTY TO A PLACE DESIGNATED BY THE COURT.

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

In subsection (a) of this section, the reference to "this title" is substituted for the former reference to "this section" in light of this revision, which has revised former Art. 27, § 297 as Title 12 of this article.

Also in subsection (a) of this section, the reference to property that is