

that are served "in accordance with the Maryland Rules of Procedure" is substituted for the former reference to service "in the first instance pursuant to Md. Rule 2-121 or 3-121(a), and thereafter, the summons having been returned non est, the director of finance of Baltimore City, county treasurer or appropriate county finance officer, municipal treasurer, or Attorney General may proceed pursuant to Md. Rule 2-122 or 3-121(b) or (c)" for brevity.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that in subsection (a)(1) of this section, the Attorney General applies for forfeiture of money in connection with the controlled dangerous substances. In the matter of cash seized in connection with gambling operations, however, the State Treasurer — not the Attorney General — is the State official charged with applying for forfeiture. See former Art. 27, § 264(c)(1) now § 13-105(b) of this article.

Defined terms: "County" § 1-101

"Financial authority" § 12-101

12-303. PROCEEDINGS FILED BY FORFEITING AUTHORITY.

EXCEPT AS PROVIDED IN § 12-302 OF THIS TITLE AND § 4-401(9) OF THE COURTS ARTICLE, THE APPROPRIATE FORFEITING AUTHORITY SHALL FILE PROCEEDINGS UNDER THIS TITLE IN THE CIRCUIT COURT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(h)(1).

In 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.

Defined term: "Forfeiting authority" § 12-101

12-304. DEADLINES FOR FILING COMPLAINT SEEKING FORFEITURE.

(A) IN GENERAL.

EXCEPT AS PROVIDED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION, A COMPLAINT SEEKING FORFEITURE SHALL BE FILED WITHIN THE EARLIER OF:

(1) 90 DAYS AFTER THE SEIZURE; OR

(2) 1 YEAR AFTER THE FINAL DISPOSITION OF THE CRIMINAL CHARGE FOR THE VIOLATION GIVING RISE TO THE FORFEITURE.

(B) FORFEITURE OF MOTOR VEHICLE.

A COMPLAINT FOR THE FORFEITURE OF A MOTOR VEHICLE SHALL BE FILED WITHIN 45 DAYS AFTER THE MOTOR VEHICLE IS SEIZED.

(C) PROCEEDINGS ABOUT MONEY.