

this term conforms to the terminology used in §§ 13-105 and 13-106 of this subtitle.

Defined terms: "Final disposition" § 13-101

"Financial authority" § 13-101

13-105. COMPLAINT FOR FORFEITURE.

(A) APPLICATION.

(1) EACH APPLICATION FOR THE FORFEITURE OF CONTRABAND SHALL BE BY COMPLAINT.

(2) A COPY OF THE COMPLAINT AND SHOW CAUSE ORDER SHALL BE SERVED IN ACCORDANCE WITH THE MARYLAND RULES.

(B) REQUEST FROM FINANCIAL AUTHORITY.

(1) IF A CONVICTION, INCLUDING A PLEA OF GUILTY OR PLEA OF NOLO CONTENDERE, IS ENTERED AGAINST A PERSON ARRESTED IN CONNECTION WITH THE SEIZURE OF THE MONEY, THE FINANCIAL AUTHORITY SHALL APPLY TO THE DISTRICT COURT OR CIRCUIT COURT FOR AN ORDER FORFEITING THE MONEY TO THE JURISDICTION THAT THE FINANCIAL AUTHORITY SERVES.

(2) THE FINANCIAL AUTHORITY SHALL APPLY FOR THE ORDER WITHIN 90 DAYS AFTER ENTRY OF THE CONVICTION OR PLEA, UNLESS THE CASE IS APPEALED.

(C) FORFEITURE CONDITIONED ON ABSENCE OF PENDING OR UNDETERMINED SUITS.

BEFORE ORDERING A FORFEITURE OF THE MONEY, THE COURT MUST BE SATISFIED THAT NO UNDETERMINED PROCEEDING TO RECOVER THE MONEY IS PENDING IN COURT AGAINST THE FINANCIAL AUTHORITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 264(c) and (e)(3).

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

In subsection (a) of this section, the reference to a "complaint" is substituted for the former reference to a "petition" to conform to the terminology used in the Maryland Rules.

In subsection (a)(2) of this section, the former reference to "in the first instance" is deleted as surplusage.

In subsection (b) of this section, the former reference to the possibility that "the trial or other ultimate disposition of such charge or charges, indictment or indictments, results in a record of conviction being entered against the person or persons so arrested" is deleted as unnecessary in