

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 264(d)(2).

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.

Also in subsection (a) of this section, the former references to "currency" and "cash" are deleted as unnecessary in light of the reference to "money".

In subsection (c) of this section, the reference to the "[m]arking a charge 'stet' on the docket" is substituted for the former reference to "entry of stet" for clarity.

Defined terms: "Nolle prosequi" § 1-101
"Nolo contendere" § 1-101

13-108. GROUNDS FOR FORFEITURE.

(A) IN GENERAL.

SUBJECT TO SUBSECTION (B) OF THIS SECTION, IF A COMPLAINT IS NOT TIMELY AND PROPERLY FILED OR IF THE ACTION IS FINALLY DECIDED AGAINST THE CLAIMANT, THE SEIZED MONEY NOT DISPOSED OF SHALL BE FORFEITED TO THE CUSTODIAN WITHOUT FURTHER JUDICIAL ACTION.

(B) TIMELY NOTICE REQUIRED.

FOR THE SEIZED MONEY TO BE FORFEITED, TIMELY NOTICE MUST BE GIVEN BY CERTIFIED MAIL OR OTHER APPROPRIATE MEANS TO ANY KNOWN CLAIMANTS, AT THEIR LAST KNOWN ADDRESSES, OF THE REQUIREMENTS OF THIS SECTION FOR MAKING CLAIM FOR THE RETURN OF SEIZED MONEY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 264(d)(3) and (4).

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 (b) of this section, the former reference to the consequence that, if timely notice is not given, "the seized moneys shall not be forfeited as provided by paragraph (3) of this subsection" is deleted as unnecessary in light of the phrase "[f]or the seized money to be forfeited".

13-109. EFFECT OF SUBTITLE.

THIS SUBTITLE DOES NOT PROHIBIT THE TRIAL JUDGE, AFTER AN ACQUITTAL OR DISMISSAL, FROM ORDERING THE IMMEDIATE RETURN OF ALL PROPERTY SEIZED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 264(e)(4).