SUBTITLE 2. VIOLATIONS OF GUN LAWS.

13–201.   PROPERTY SUBJECT TO SEIZURE AND FORFEITURE.

THE FOLLOWING PROPERTY IS SUBJECT TO SEIZURE AND FORFEITURE:

(1)   A HANDGUN WORN, CARRIED, OR TRANSPORTED IN VIOLATION OF ARTICLE 27, § 36B OF THE CODE OR SOLD, RENTED, TRANSFERRED, OR POSSESSED IN VIOLATION OF ARTICLE 27, § 442, § 442A, OR § 445 OF THE CODE; AND

(2)   AMMUNITION, HANDGUN PARTS, OR HANDGUN APPURTENANCES THAT ARE:

(I)   WORN, CARRIED, OR TRANSPORTED IN VIOLATION OF ARTICLE 27, § 36B OF THE CODE; OR

(II)   FOUND IN THE IMMEDIATE VICINITY OF A HANDGUN WORN, CARRIED, OR TRANSPORTED IN VIOLATION OF ARTICLE 27, § 36B OF THE CODE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36C(a).

In item (1) of this section, the former reference to property that "upon forfeiture, no property right shall exist in them" is deleted as unnecessary as included in the common meaning of the word "forfeiture".

In item (2) of this section, the reference to ammunition, handgun parts, or handgun appurtenances that are worn, carried, or transported "in violation of Article 27, § 36B of the Code" is substituted for the former phrase "by such person" for clarity and to conform to the terminology used in item (1) of this section.

13–202.   SEIZURE OF PROPERTY.

(A)   SEIZURE AS INCIDENT TO ARREST.

AN AUTHORIZED LAW ENFORCEMENT OFFICER MAY SEIZE PROPERTY LISTED UNDER § 13–201 OF THIS SUBTITLE AS AN INCIDENT TO AN ARREST OR SEARCH AND SEIZURE.

(B)   PROPERTY AFTER SEIZURE.

AN OFFICER WHO SEIZES PROPERTY UNDER THIS SECTION SHALL PLACE THE PROPERTY UNDER SEAL OR REMOVE THE PROPERTY TO A LOCATION DESIGNATED BY THE DEPARTMENT OF STATE POLICE OR BY THE LAW ENFORCEMENT UNIT HAVING JURISDICTION IN THE LOCALITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36C(b).

In subsection (a) of this section, the former reference to a "duly" authorized law enforcement officer is deleted as surplusage.

In subsection (b) of this section, the reference to "law enforcement unit" is