

substituted for the former reference to "law enforcement agency" to conform to the terminology used throughout this article. See General Revisor's Note to article.

13-203. PROCEDURES AFTER SEIZURE.

(A) RETURNING HANDGUN TO OWNER OR APPROPRIATE UNIT.

(1) BY AN APPROPRIATE INQUIRY AND INVESTIGATION, THE SEIZING AUTHORITY SHALL ATTEMPT TO IDENTIFY AND LOCATE THE OWNER OF A HANDGUN THAT IS SEIZED.

(2) IF THE OWNER IS A RESIDENT OF THE STATE, THE SEIZING AUTHORITY MAY RETURN THE HANDGUN TO THE OWNER.

(3) IF THE OWNER OF THE HANDGUN IS NOT A RESIDENT OF THE STATE, THE SEIZING AUTHORITY SHALL SEND THE HANDGUN FOR DISPOSITION TO THE APPROPRIATE LAW ENFORCEMENT UNIT WHERE THE OWNER IS A RESIDENT IF THE HANDGUN:

(I) IS NOT NEEDED FOR INVESTIGATION OR EVIDENCE; OR

(II) IS NOT DISPOSED OF UNDER SUBSECTION (B) OF THIS SECTION.

(B) NOTICE OF OPTION TO REVIEW SEIZURE.

(1) IF THE SEIZING AUTHORITY UNDER SUBSECTION (A) OF THIS SECTION DOES NOT RETURN THE HANDGUN TO ITS OWNER, THE SEIZING AUTHORITY SHALL PROMPTLY NOTIFY THE OWNER THAT THE OWNER MAY APPLY WITHIN 30 DAYS TO THE SEIZING AUTHORITY FOR A REVIEW TO DETERMINE WHETHER THE OWNER KNEW OR SHOULD HAVE KNOWN THAT THE HANDGUN WAS WORN, CARRIED, TRANSPORTED, OR USED IN VIOLATION OF ARTICLE 27, § 36B OF THE CODE, AND WHETHER THE OWNER IS QUALIFIED TO POSSESS THE HANDGUN.

(2) QUALIFICATION FOR POSSESSION OF A HANDGUN IS THE SAME AS FOR SALE OR TRANSFER OF A HANDGUN UNDER ARTICLE 27, § 442 OF THE CODE.

(C) PENALTY FOR FALSE INFORMATION IN APPLICATION.

A PERSON WHO KNOWINGLY GIVES FALSE INFORMATION OR MAKES A MATERIAL MISSTATEMENT IN AN APPLICATION FOR REVIEW OR AN INVESTIGATION RELATING TO AN APPLICATION IS SUBJECT TO THE PENALTIES UNDER ARTICLE 27, § 449 OF THE CODE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36C(c)(1).

In subsection (a) of this section, the former reference to a "reputed" owner is deleted as unnecessary.

In subsection (a)(1) of this section, the former reference to the "address" of the owner of a handgun is deleted in light of the reference to the requirement of the seizing authority to "locate" the owner.