

Approved May 13, 2003.

**CHAPTER 215**

**(Senate Bill 131)**

AN ACT concerning

**Sheriffs - Disposal of Property - Holding Period**

FOR the purpose of altering the period of time ~~that certain guidelines shall provide that require a sheriff to hold abandoned, lawfully confiscated, or recovered property before the sheriff may give notice for the sale of the property, prescribed under certain guidelines, that certain property is required to be in the possession of the sheriff before the sheriff is required to give certain notice of the sale of the property to certain persons and certain lienholders;~~ and generally relating to the disposal of property by a sheriff.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 2-311

Annotated Code of Maryland

(2002 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Courts and Judicial Proceedings**

2-311.

(a) The sheriff of a county may establish and administer reasonable guidelines in accordance with this section for disposing of abandoned, lawfully confiscated, or recovered property that is in the possession of the sheriff's office.

(b) The guidelines shall provide that:

(1) (I) After LAWFULLY CONFISCATED property has been in the possession of the sheriff for a period of ~~one year~~ 90 DAYS, notice of the sale of the property shall be given by registered or certified mail to those persons entitled to its possession and to those lienholders whose names and addresses can be ascertained by the exercise of reasonable diligence; AND

(II) AFTER ABANDONED OR RECOVERED PROPERTY HAS BEEN IN THE POSSESSION OF THE SHERIFF FOR A PERIOD OF 90 DAYS, NOTICE OF THE SALE OF THE PROPERTY SHALL BE GIVEN BY REGISTERED OR CERTIFIED MAIL TO THOSE PERSONS ENTITLED TO ITS POSSESSION AND TO THOSE LIENHOLDERS WHOSE NAMES AND ADDRESSES CAN BE ASCERTAINED BY THE EXERCISE OF REASONABLE DILIGENCE;