

consistency with the terminology used in the Correctional Services Article.
See General Revisor's Note to Correctional Services Article.

Defined terms: "County" § 1-101

"Department" § 2-101

"Police employee" § 2-101

2-311. PERSONAL PROPERTY IN POSSESSION OF DEPARTMENT.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO PERSONAL PROPERTY PURCHASED OR OTHERWISE ACQUIRED FOR USE BY THE DEPARTMENT OR TO CONTRABAND.

(B) IN GENERAL.

THE DEPARTMENT SHALL HOLD PERSONAL PROPERTY THAT COMES INTO THE POSSESSION OF THE DEPARTMENT UNTIL THE DEPARTMENT DETERMINES THAT THE PROPERTY IS NO LONGER NEEDED IN CONNECTION WITH A PROSECUTION.

(C) RETURN OF PROPERTY.

AFTER THE DEPARTMENT DETERMINES THAT PERSONAL PROPERTY IS NO LONGER NEEDED IN CONNECTION WITH A PROSECUTION, THE DEPARTMENT SHALL DELIVER THE PROPERTY TO THE PERSON WHO SATISFACTORILY ESTABLISHES THE RIGHT TO POSSESSION OF THE PROPERTY AND GIVES A PROPER RECEIPT FOR THE PROPERTY.

(D) SALE OF PROPERTY.

(1) AT ANY TIME AFTER PERSONAL PROPERTY HAS BEEN IN THE POSSESSION OF THE DEPARTMENT FOR 6 MONTHS AND THE DEPARTMENT DETERMINES THAT THE PROPERTY IS NO LONGER NEEDED IN CONNECTION WITH A PROSECUTION, THE DEPARTMENT SHALL:

(I) GIVE NOTICE OF THE SALE OF THE PROPERTY 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) PUBLISH A DESCRIPTION OF THE PROPERTY AND THE TIME, PLACE, AND TERMS OF THE SALE OF THE PROPERTY IN A NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY IN EACH OF TWO SUCCESSIVE WEEKS.

(2) AFTER COMPLYING WITH THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT MAY SELL THE PROPERTY AT PUBLIC AUCTION.

(3) THE TERMS AND MANNER OF SALE MAY BE ESTABLISHED BY RULE.

(E) EVIDENCE OF TITLE.

THE CERTIFICATE OF THE DEPARTMENT THAT PERSONAL PROPERTY HAS BEEN SOLD UNDER THIS SECTION IS SUFFICIENT EVIDENCE OF TITLE TO THE PROPERTY