

(3) IF THE COURT MAKES A PRIMA FACIE FINDING OF FACT THAT A RELATIONSHIP BETWEEN THE CONVICTION AND THE LICENSE EXISTS, THE COURT SHALL FOLLOW THE PROCEDURES UNDER SUBSECTION (C) OF THIS SECTION.

(C) REPORT OF DETERMINATION OF RELATIONSHIP — WHEN REQUIRED.

(1) THIS SUBSECTION APPLIES TO A CONVICTION OF A LICENSEE FOR A DRUG CRIME IF:

(I) THE LICENSEE HAS AT LEAST ONE PRIOR CONVICTION OR PROBATION BEFORE JUDGMENT FOR A DRUG CRIME COMMITTED ON OR AFTER JANUARY 1, 1991; OR

(II) 1. THE LICENSEE DOES NOT HAVE A PRIOR CONVICTION OR PROBATION BEFORE JUDGMENT FOR A DRUG CRIME COMMITTED ON OR AFTER JANUARY 1, 1991; AND

2. THE COURT MAKES A PRIMA FACIE FINDING OF FACT THAT A RELATIONSHIP EXISTS BETWEEN THE CONVICTION AND THE LICENSE UNDER SUBSECTION (B) OF THIS SECTION.

(2) ON CONVICTION OF A LICENSEE, THE COURT SHALL:

(I) NOTIFY THE CLERK OF THE COURT OF THE DETERMINATION;
AND

(II) PROVIDE THE CLERK OF THE COURT WITH THE LICENSING INFORMATION.

(3) THE CLERK OF THE COURT SHALL CERTIFY AND REPORT THE CONVICTION AND THE LICENSING INFORMATION TO THE LICENSING AUTHORITY, UNDER ADMINISTRATIVE ORDERS THAT THE CHIEF JUDGE OF THE COURT OF APPEALS ADOPTS.

(D) SAME — WHEN PROHIBITED.

IF THE COURT MAKES A PRIMA FACIE FINDING OF FACT UNDER SUBSECTION (B) OF THIS SECTION THAT A RELATIONSHIP BETWEEN THE CONVICTION AND THE LICENSE DOES NOT EXIST, THE CLERK MAY NOT CERTIFY OR REPORT TO A LICENSING AUTHORITY THE CONVICTION OR THE LICENSING INFORMATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 298A(a), (c), (e), (f), and (d)(2).

In subsection (a)(2) of this section, the former reference to "any provision" of this title is deleted as surplusage.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that subsection (a)(2) of this section, which defines "drug crime", formerly "controlled dangerous substance offense", refers to a violation of this "title", formerly a violation of the predecessor "subheading". Because violations of this title may involve matters other than a controlled dangerous substance, *e.g.* a firearm crime under § 5-622