

Article - Courts and Judicial Proceedings

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§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, 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;

(2) The property may be sold at public auction after a description of the property and the time, place, and terms of the sale have been published in a newspaper of general circulation in the county in each of 2 successive weeks;

(3) The amount received from the sale of property in accordance with this section shall be distributed in the following order of priority:

(i) To the sheriff, in an amount equal to the expense of the sale and all expenses incurred while the property was in the sheriff's custody;

(ii) To lienholders in order of their priority; and

(iii) Subject to the provisions of item (4) of this subsection, to the general fund of the county; and

(4) At any time within 3 years from the date of the sale of the property, any person submitting satisfactory proof of the person's right to the possession of the property shall be paid, without interest, the amount distributed to the general fund pursuant to item (3) of this subsection, and after the expiration of 3 years from the date of the sale, any claims shall be absolutely barred.

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