

MARS/djh

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 412

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Innocent Owners and”; strike beginning with “prohibiting” in line 3 down through “violation;” in line 5; in line 7, after “order;” insert “modifying a certain provision of law to require that a proposed show cause order be served pursuant to certain Maryland Rules; requiring the clerk of court to provide copies of the show cause order to the petitioner and owner on issuance of the order by the court;”; strike beginning with the second “that” in line 7 down through “court” in line 9 and substitute “which courts have jurisdiction over certain forfeiture proceedings”; in line 11, after “published;” insert “clarifying language;”; and in line 15, strike “(i)”.

AMENDMENT NO. 2

On page 1, in line 24, strike “OWNER NEITHER KNEW NOR SHOULD HAVE KNOWN OF THE”; in line 25, in each instance, strike the bracket; in the same line, strike “done” and substitute “COMMITTED”; in line 26, after “(2)” insert:

“(I) In the event of seizure pursuant to paragraph (1)(iii) and (iv) of this subsection, proceedings under subsection (f) of this section shall be instituted promptly, except all proceedings relating to money or currency, that shall be instituted within 90 days from the date of final disposition of criminal proceedings that arise out of §§ 276 through 302 of this article.”;

in the same line, strike “(i)” and substitute “(II)”; and after line 30, insert:

“[(ii)] (III) The complaint, affidavit and PROPOSED show cause order shall be served in the first instance pursuant to Maryland Rule 2-121 or Maryland Rule 3-121(a), and thereafter, the summons having been returned non est, the director of finance of Baltimore City, county treasurer or appropriate county finance officer, municipal treasurer, or Attorney General may proceed pursuant to Maryland Rule 2-122 or Maryland Rule 3-121(b) or (c).”

(Over)

(IV) THE CLERK OF THE COURT SHALL PROVIDE COPIES OF THE SHOW CAUSE ORDER TO THE PETITIONER AND THE OWNER ON ISSUANCE OF THE ORDER BY THE COURT.”.

On page 2, in line 1, strike “(D)(2)(I)” and substitute “(D)(2)(II)”; and in line 5, strike “(d)(2)” and substitute “(D)(2)(I)”; and in line 31, strike “30” and substitute “15”.