

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 583 (Delegate Vallario. *et al.*)

Judiciary

**Crimes - Child Pornography and Unlawful Sexual Conduct - Seizure and
Disposition of Property**

This bill authorizes seizure and disposal of audio and visual equipment, electronic equipment, and other personal property that was used in connection with specified unlawful activities related to child pornography and unlawful sexual conduct with a minor. If the property is disposed of by sale, proceeds are required to be paid to the Maryland Center for Missing Children to be used for education and training.

The bill also provides that a forfeiture under these provisions does not extinguish the rights of any person without knowledge of the illegal use of the property who: (1) is the property's legal owner; or (2) has a valid and perfected lien on the property.

Fiscal Summary

State Effect: Minimal. The bill's seizure and disposal requirements could be handled with the existing budgeted resources of the Judiciary and the Maryland State Police. Cash proceeds from forfeitures accruing to the Maryland Center for Missing Children, an unbudgeted entity within the State Police's Criminal Enforcement Command, are not expected to significantly affect State finances or operations.

Local Effect: Minimal. Enforcement of the bill's seizure and disposal requirements could be handled with the existing budgeted resources of local law enforcement.

Small Business Effect: None.

Analysis

Current Law: Upon conviction of a defendant for an obscenity offense, the court may order any matter or advertisement relating to the crime in the government's possession to be destroyed.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2000
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