
By: **Charles County Delegation**

Introduced and read first time: February 8, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Forfeiture of Assets - Premises Used for Prostitution**

3 FOR the purpose of providing that money is prima facie contraband if a law
4 enforcement officer in the State seizes the money in connection with an arrest
5 for using certain premises for the purpose of prostitution; and generally relating
6 to money presumed to be contraband.

7 BY repealing and reenacting, with amendments,
8 Article - Criminal Procedure
9 Section 13-102
10 Annotated Code of Maryland
11 (2001 Volume and 2004 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Criminal Procedure**

15 13-102.

16 (a) Money is prima facie contraband if a law enforcement officer in the State
17 seizes the money in connection with an arrest for:

- 18 (1) unlawfully playing or operating a bookmaking scheme;
- 19 (2) unlawfully betting on a horse race, athletic event, lottery, or game;
- 20 [or]
- 21 (3) using an unlawful gaming table or gaming device; OR

22 (4) USING COMMERCIAL OR RESIDENTIAL PREMISES FOR THE PURPOSE
23 OF PROSTITUTION.

24 (b) (1) For purposes of this subsection, the Police Department of Baltimore
25 City is not a State authority.

1 (2) All rights in, title to, and interest in money seized under subsection
2 (a) of this section shall immediately vest in and to:

3 (i) the county or the municipal corporation, if the money is seized
4 by the police of the local government, including a sheriff's department that is the local
5 law enforcement unit; or

6 (ii) the State, if the money is seized by a State authority.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2005.