

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**

House Bill 713

(Charles County Delegation)

Judiciary

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

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This bill provides that money is *prima facie* contraband if a law enforcement officer seizes it in connection with an arrest for using commercial or residential premises for prostitution.

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**Fiscal Summary**

**State Effect:** None. The change would not materially affect governmental operations or expenditures.

**Local Effect:** None – see above.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Money is *prima facie* contraband if a law enforcement officer seizes it in connection with an arrest for:

- unlawfully playing or operating a bookmaking scheme;
- unlawfully betting on a horse race, athletic event, lottery, or game; or
- using an unlawful gaming table or gaming device.

All rights in, title to, and interest in money seized shall immediately vest in and to:

- the county or the municipal corporation, if the money is seized by the police of a local government; or
- the State, if the money is seized by a State authority.

The Police Department of Baltimore City is not a State authority for this purpose.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State's Attorneys' Association, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2005  
mam/jr

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