

# SENATE BILL 643

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9lr2645

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By: **Senator Klausmeier**

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 24, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Criminal Procedure – Forfeiture Proceeds – Appropriation Percentage and**  
3 **Reporting**

4 FOR the purpose of altering the percentage of proceeds the Governor is required to  
5 appropriate to the Maryland Department of Health from certain proceeds deposited  
6 in the General Fund from certain forfeitures for the purpose of funding drug  
7 treatment and education programs; requiring the Governor’s Office of Crime Control  
8 and Prevention (GOCCP) to include in a certain report to the Governor and the  
9 General Assembly the total amount deposited in the General Fund from certain  
10 forfeitures and how the funds were spent; and generally relating to forfeitures.

11 BY repealing and reenacting, with amendments,  
12 Article – Criminal Procedure  
13 Section 12–405 and 12–602(f)  
14 Annotated Code of Maryland  
15 (2018 Replacement Volume)

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

18 **Article – Criminal Procedure**

19 12–405.

20 Notwithstanding any other provision of law, the Governor shall appropriate [20%]

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **100%** of the proceeds deposited in the General Fund of the State under this subtitle to the  
2 Maryland Department of Health for the purpose of funding drug treatment and education  
3 programs.

4 12-602.

5 (f) (1) **GOCCP SHALL INCLUDE IN THE AGGREGATE REPORT THE TOTAL**  
6 **AMOUNT FROM FORFEITURES DEPOSITED IN THE GENERAL FUND OF THE STATE**  
7 **UNDER § 12-405 OF THIS TITLE THAT WERE APPROPRIATED TO THE MARYLAND**  
8 **DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING DRUG TREATMENT AND**  
9 **EDUCATION PROGRAMS AND HOW THE FUNDS WERE SPENT.**

10 (2) GOCCP may include, with the aggregate report of MSAC,  
11 recommendations to the legislature to improve forfeiture statutes to better ensure that  
12 forfeiture proceedings are reported and handled in a manner that is fair to crime victims,  
13 innocent property owners, secured interest holders, citizens, and taxpayers.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.