

CRIMINAL LAW ARTICLE OR IS CONVICTED OF AN ATTEMPT OR CONSPIRACY TO VIOLATE TITLE 5 OF THE CRIMINAL LAW ARTICLE.

12-311.

If an owner of real property used as the principal family residence is convicted under [§ 286, § 286A, § 286B, § 286C, or § 290 of Article 27 of the Code] §§ 5-602 THROUGH 5-609, §§ 5-612 THROUGH 5-614, § 5-617, § 5-618, OR § 5-628 OF THE CRIMINAL LAW ARTICLE OR IS CONVICTED OF AN ATTEMPT OR CONSPIRACY TO VIOLATE TITLE 5 OF THE CRIMINAL LAW ARTICLE and the owner files an appeal of the conviction, the court shall stay forfeiture proceedings under § 12-103(e) or § 12-312(b) of this title against the real property during the pendency of the appeal.

12-312.

(a) (1) Except as provided in subsection (b) of this section, there is a rebuttable presumption that property or part of a property in which a person has an ownership interest is subject to forfeiture as proceeds, if the State establishes by clear and convincing evidence that:

(i) the person has violated [§ 286, § 286A, § 286B, § 286C, or § 290 of Article 27 of the Code] §§ 5-602 THROUGH 5-609, §§ 5-612 THROUGH 5-614, § 5-617, § 5-618, OR § 5-628 OF THE CRIMINAL LAW ARTICLE OR HAS ATTEMPTED OR CONSPIRED TO VIOLATE TITLE 5 OF THE CRIMINAL LAW ARTICLE;

(ii) the property was acquired by the person during the violation or within a reasonable time after the violation; and

(iii) there was no other likely source for the property.

13-201.

The following property is subject to seizure and forfeiture:

(1) a handgun worn, carried, or transported in violation of [Article 27, § 36B of the Code] § 4-203 OR § 4-204 OF THE CRIMINAL LAW ARTICLE or sold, rented, transferred, or possessed in violation of Article 27, § 442, § 442A, or § 445 of the Code; and

(2) ammunition, handgun parts, or handgun appurtenances that are:

(i) worn, carried, or transported in violation of [Article 27, § 36B of the Code] § 4-203 OR § 4-204 OF THE CRIMINAL LAW ARTICLE; or

(ii) found in the immediate vicinity of a handgun worn, carried, or transported in violation of [Article 27, § 36B of the Code] § 4-203 OR § 4-204 OF THE CRIMINAL LAW ARTICLE.

13-203.

(b) (1) If the seizing authority under subsection (a) of this section does not return the handgun to its owner, the seizing authority shall promptly notify the owner that the owner may apply within 30 days to the seizing authority for a review to determine whether the owner knew or should have known that the handgun was