

(1) THIS SUBSECTION APPLIES TO CRIMINAL INVESTIGATIONS CONDUCTED BY A LAW ENFORCEMENT UNIT, GRAND JURY, OR STATE'S ATTORNEY UNDER ARTICLE 10, § 39A OF THE CODE INTO ALLEGED CRIMINAL ACTIVITIES IN VIOLATION OF:

(I) ARTICLE 27, § 286, § 286A, § 286B, § 286C, § 287, OR § 287A OF THE CODE, RELATING TO CONTROLLED DANGEROUS SUBSTANCES;

(II) ARTICLE 27, § 407, § 408; § 409, § 410, OR § 411 OF THE CODE, RELATING TO MURDER; OR

(III) ARTICLE 27, § 419A OR § 419B OF THE CODE, RELATING TO PORNOGRAPHY.

(2) NOTWITHSTANDING ANY PROVISION OF THE MARYLAND RULES, A CIRCUIT COURT JUDGE OR DISTRICT COURT JUDGE, ON A FINDING OF GOOD CAUSE, MAY ORDER THAT AN AFFIDAVIT PRESENTED IN SUPPORT OF A SEARCH AND SEIZURE WARRANT BE SEALED FOR A PERIOD NOT EXCEEDING 30 DAYS.

(3) A FINDING OF GOOD CAUSE REQUIRED BY PARAGRAPH (2) OF THIS SUBSECTION IS ESTABLISHED BY EVIDENCE THAT:

(I) THE CRIMINAL INVESTIGATION TO WHICH THE AFFIDAVIT IS RELATED IS OF A CONTINUING NATURE AND LIKELY TO YIELD FURTHER INFORMATION THAT COULD BE OF USE IN PROSECUTING ALLEGED CRIMINAL ACTIVITIES; AND

(II) THE FAILURE TO MAINTAIN THE CONFIDENTIALITY OF THE INVESTIGATION WOULD:

1. JEOPARDIZE THE USE OF INFORMATION ALREADY OBTAINED IN THE INVESTIGATION;

2. IMPAIR THE CONTINUATION OF THE INVESTIGATION; OR

3. JEOPARDIZE THE SAFETY OF A SOURCE OF INFORMATION.

(4) AFTER THE ORDER SEALING THE AFFIDAVIT EXPIRES, THE AFFIDAVIT SHALL BE:

(I) UNSEALED; AND

(II) DELIVERED WITHIN 15 DAYS:

1. TO THE PERSON FROM WHOM THE PROPERTY WAS TAKEN; OR

2. IF THAT PERSON IS NOT ON THE PREMISES AT THE TIME OF DELIVERY, TO THE PERSON APPARENTLY IN CHARGE OF THE PREMISES FROM WHICH THE PROPERTY WAS TAKEN.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 551.