

# HOUSE BILL 1259

E4

0lr1424

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By: **Delegate Chang**

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Correctional Services – Removal From Court**

3 FOR the purpose of repealing a certain provision of law authorizing the Anne Arundel  
4 County Council to provide in a certain manner that a certain officer shall remove a  
5 certain individual from court at a certain time; requiring the Sheriff of Anne Arundel  
6 County to remove a certain individual from a certain court at a certain time and  
7 deliver the individual to a certain facility at a certain expense; requiring a certain  
8 correctional facility to transport a certain individual to a certain State correctional  
9 facility under certain circumstances; requiring a certain correctional facility to  
10 transport a certain individual to and from a certain court; establishing and applying  
11 certain penalties for a violation of this Act; defining a certain term; and generally  
12 relating to correctional services in Anne Arundel County.

13 BY repealing and reenacting, with amendments,  
14 Article – Correctional Services  
15 Section 11–202  
16 Annotated Code of Maryland  
17 (2017 Replacement Volume and 2019 Supplement)

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

20 **Article – Correctional Services**

21 11–202.

22 (a) Except as provided in subsection (b) of this section, when an individual is  
23 convicted in any court of the State and sentenced to imprisonment in the Division of  
24 Correction, the sheriff of the county in which the court is located shall:

25 (1) remove the individual from the court as soon as possible; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)     deliver the individual to the Division of Correction at the expense of the  
2 county.

3           [(b)    The County Council of Anne Arundel County, by resolution or law, may  
4 provide that a certified law enforcement officer other than the Sheriff shall remove an  
5 individual from court after conviction.]

6           **(B)   (1)    IN THIS SUBSECTION, “LOCAL FACILITY” MEANS A LOCAL  
7 CORRECTIONAL FACILITY IN ANNE ARUNDEL COUNTY.**

8           **(2)    THIS SUBSECTION APPLIES ONLY TO ANNE ARUNDEL COUNTY.**

9           **(3)    WHEN AN INDIVIDUAL IS CONVICTED OF A CRIME BY THE ANNE  
10 ARUNDEL COUNTY CIRCUIT COURT, THE SHERIFF OF ANNE ARUNDEL COUNTY  
11 SHALL:**

12                   **(I)    REMOVE THE INDIVIDUAL FROM THE COURT AS SOON AS  
13 POSSIBLE; AND**

14                   **(II)   DELIVER THE INDIVIDUAL TO A LOCAL FACILITY AT THE  
15 EXPENSE OF THE COUNTY.**

16           **(4)    IF AN INDIVIDUAL WHO IS DELIVERED TO A LOCAL FACILITY IN  
17 ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION HAS BEEN SENTENCED TO  
18 IMPRISONMENT IN A STATE CORRECTIONAL FACILITY, THE LOCAL FACILITY SHALL  
19 TRANSPORT THE INDIVIDUAL TO THE STATE CORRECTIONAL FACILITY.**

20           **(5)    A LOCAL FACILITY SHALL TRANSPORT INDIVIDUALS TO AND FROM  
21 DISTRICT COURT.**

22           **(6)    A LOCAL FACILITY THAT DOES NOT COMPLY WITH THIS  
23 SUBSECTION SHALL FORFEIT \$1,000.**

24           (c)     A sheriff who does not comply with [subsection (a) of] this section shall forfeit  
25 \$1,000.

26           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2020.