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**By: Prince George's County Delegation**

Introduced and read first time: January 31, 1997

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

**2 Prince George's County - Detention Center - Transfer to the State of Maryland****3 PG 317-97**

4 FOR the purpose of transferring the Prince George's County Detention Center from the  
5 authority of Prince George's County to the Division of Pretrial Detention and  
6 Services of the Department of Public Safety and Correctional Services of the State  
7 of Maryland; providing for the authority of the Division of Pretrial Detention and  
8 Services with regard to the custody of the inmates in and the operation of the Prince  
9 George's County Detention Center; providing that the Commissioner of the  
10 Division of Pretrial Detention and Services may enter agreements with the  
11 Maryland Commissioner of Correction and governmental agencies for the housing  
12 of individuals held in the Prince George's County Detention Center; providing for  
13 the appointment of a warden and assistant warden of the Detention Center by the  
14 Commissioner of Correction, subject to the approval of the Maryland Secretary of  
15 Public Safety and Correctional Services; providing for the transfer of the employees  
16 of the Prince George's County Detention Center from employment by Prince  
17 George's County to State employment without diminution of salary and benefits and  
18 without further examination or qualification; directing the transfer of property,  
19 assets, licenses, credits, and rights of the Prince George's County Detention Center  
20 to the Department of Public Safety and Correctional Services; authorizing the  
21 Secretary of Public Safety and Correctional Services to accept certain liabilities and  
22 assume certain contracts of Prince George's County under certain circumstances;  
23 authorizing the Secretary to assume certain procurement and construction contracts  
24 entered into by Prince George's County under certain circumstances; providing for  
25 certain pension and health insurance benefits for certain former employees of the  
26 Prince George's County Detention Center and for employees of the Prince George's  
27 County Detention Center; requiring the State to provide certain sick and annual  
28 leave to former officers and employees of the Prince George's County Detention  
29 Center under certain circumstances; requiring Prince George's County to pay  
30 former officers and employees of the Prince George's County Detention Center for  
31 certain sick and annual leave, under certain circumstances; requiring that the  
32 Division of Pretrial Detention and Services provide certain information concerning  
33 sick leave to Prince George's County; requiring that Prince George's County  
34 provide certain payments to the Department of Public Safety and Correctional  
35 Services; requiring Prince George's County and the State to establish a certain  
36 process to inform and advise certain employees; providing for a 2-week notification

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1 to certain employees; providing that certain employees may present certain  
2 grievances; authorizing a certain payroll deduction under certain circumstances;  
3 specifying certain contractual obligations; providing that Prince George's County is  
4 responsible for certain Fiscal Year 1997 deficiencies; requiring the Department of  
5 Public Safety and Correctional Services to submit for approval certain budgetary  
6 information by a certain date; providing that certain active State employees may not  
7 receive certain retiree health benefits; making other technical corrections; making  
8 provisions of this Act severable; providing for the effective date of this Act; and  
9 generally relating to the transfer of the Prince George's County Detention Center to  
10 the Division of Pretrial and Detention Services of the Department of Public Safety  
11 and Correctional Services of the State of Maryland.

12 BY repealing and reenacting, with amendments,

13 Article 41 - Governor - Executive and Administrative Departments  
14 Section 4-1401, 4-1403, 4-1404, 4-1407, 4-1408, 4-1409, 4-1410, and 4-1411  
15 Annotated Code of Maryland  
16 (1993 Replacement Volume and 1996 Supplement)

17 BY adding to

18 Article 41 - Governor - Executive and Administrative Departments  
19 Section 4-1412.1 and 4-1413.1  
20 Annotated Code of Maryland  
21 (1993 Replacement Volume and 1996 Supplement)

22 BY repealing and reenacting, without amendments,

23 Article 41 - Governor - Executive and Administrative Departments  
24 Section 4-1402, 4-1405, 4-1406, 4-1412, and 4-1413  
25 Annotated Code of Maryland  
26 (1993 Replacement Volume and 1996 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article 27 - Crimes and Punishments  
29 Section 616K, 645W, 645GG, 690(c) and (j), 704A, and 705  
30 Annotated Code of Maryland  
31 (1996 Replacement Volume)

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

34 **Article 41 - Governor - Executive and Administrative Departments**

35 4-1401.

36 (a) The creation of the Division of Pretrial Detention and Services IN THE  
37 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES is based on the  
38 findings and policies set forth in this section.

3

1 (b) Each year a large number of persons have criminal charges placed against  
 2 them in Baltimore City AND PRINCE GEORGE'S COUNTY and remain on pretrial status  
 3 until these charges are adjudicated. Many of the persons on pretrial status are committed  
 4 to the Baltimore City Jail OR THE PRINCE GEORGE'S COUNTY DETENTION CENTER, AS  
 5 APPROPRIATE.

6 (c) There is an important public need to centralize and coordinate the provision  
 7 of services to those persons on a pretrial status in Baltimore City AND TO THOSE  
 8 PERSONS IN THE PRINCE GEORGE'S COUNTY DETENTION CENTER.

9 (d) It is increasingly apparent that the City of Baltimore AND PRINCE GEORGE'S  
 10 COUNTY [does] DO not have the financial resources to fund the Baltimore City Jail AND  
 11 THE PRINCE GEORGE'S COUNTY DETENTION CENTER at [a level] LEVELS sufficient  
 12 to meet the needs of those incarcerated.

13 (e) The State of Maryland recognizes the need to provide more effective and  
 14 efficient services to the citizens of Baltimore through management of the pretrial  
 15 population in Baltimore City AND THE PRISON POPULATION IN PRINCE GEORGE'S  
 16 COUNTY.

17 (f) Officials of the City of Baltimore, PRINCE GEORGE'S COUNTY, and the State  
 18 of Maryland shall work together in [preparing for the establishment of a new agency]  
 19 ASSISTING THE DIVISION OF PRETRIAL DETENTION AND SERVICES IN THE  
 20 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES to improve the  
 21 delivery of services for persons [on pretrial status] THAT ARE SUBJECT TO THE  
 22 DIVISION'S JURISDICTION.

23 4-1402.

24 (a) In this subtitle the following words have the meanings indicated.

25 (b) "Commissioner" means the Commissioner of Pretrial Detention and Services.

26 (c) "Department" means the Department of Public Safety and Correctional  
 27 Services.

28 (d) "Division" means the Division of Pretrial Detention and Services.

29 (e) "Secretary" means the Secretary of Public Safety and Correctional Services.

30 4-1403.

31 (a) There is a Division of Pretrial Detention and Services in the Department.

32 (b) The Division consists of:

33 (1) A Pretrial Release Services Program; [and]

34 (2) A Baltimore City Detention Center; AND

35 (3) THE PRINCE GEORGE'S COUNTY DETENTION CENTER.

36 (c) The Division has the same authority with regard to the custody of its inmates  
 37 and the operation of the Baltimore City Detention Center AND THE PRINCE GEORGE'S  
 38 COUNTY DETENTION CENTER:

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1 (1) As the Division of Correction has under this Code, including Article 27,  
2 §§ 667 through 726, with regard to the custody of its inmates and the operation of the  
3 Division of Correction; and

4 (2) As the sheriffs have under this Code, including §§ 45 through 47 of  
5 Article 87, with regard to the detention of persons committed to their custody, and the  
6 operation of local jails and detention facilities.

7 (d) This subtitle may not be construed to limit or supersede the authority of a  
8 court to determine the conditions of pretrial release.

9 4-1404.

10 (a) There is a Commissioner of Pretrial Detention and Services, who is appointed  
11 by the Secretary, with the approval of the Governor.

12 (b) The Commissioner serves at the pleasure of the Secretary.

13 (c) The Commissioner:

14 (1) With regard to the Division, shall have the same authority as is vested by  
15 this Code, including Article 27, §§ 667 through 726, in the Commissioner of Correction  
16 over the Division of Correction;

17 (2) Shall safely keep any person committed or transferred to the custody of  
18 the Commissioner until the person is discharged in accordance with law;

19 (3) Is in charge of the Division, subject to the authority of the Secretary;

20 (4) Is the appointing authority for all employees of the Division;

21 (5) May enter agreements with the Commissioner of Correction for the  
22 housing of any persons held in the Baltimore City Detention Center OR THE PRINCE  
23 GEORGE'S COUNTY DETENTION CENTER;

24 (6) May enter agreements with governmental entities for the housing of any  
25 person held in the Baltimore City Detention Center OR THE PRINCE GEORGE'S  
26 COUNTY DETENTION CENTER;

27 (7) May enter agreements for the housing of any person committed to  
28 federal or local governmental entities in the Baltimore City Detention Center OR THE  
29 PRINCE GEORGE'S COUNTY DETENTION CENTER;

30 (8) May enter other agreements necessary to carry out the purposes of this  
31 subtitle; and

32 (9) Shall establish a home detention program under such terms as the  
33 Secretary shall provide. Subject to subsection (d) of this section, the terms and conditions  
34 of the Home Detention Program shall be established by regulation, notwithstanding any  
35 other provision of law.

36 (d) The authority of a judge of the circuit or district court to determine the  
37 conditions of pretrial release or to find that a defendant awaiting trial may not be placed  
38 on a home detention program may not be limited or superseded by:

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1 (1) Any regulation of the Division or Department; or

2 (2) The Division or the Commissioner.

3 4-1405.

4 (a) There is a Deputy Commissioner of Pretrial Detention and Services who is  
5 appointed by the Commissioner, with the approval of the Secretary.

6 (b) The Deputy Commissioner serves at the pleasure of the Commissioner.

7 (c) The Deputy Commissioner shall be the acting Commissioner in the absence of  
8 the Commissioner.

9 4-1406.

10 (a) There is a Pretrial Release Services Program, which shall be part of the  
11 Division, and the head of which shall be the Director of Pretrial Release Services. The  
12 Director and the Deputy Director shall be appointed by the Commissioner, with the  
13 approval of the Secretary, to serve at the pleasure of the Commissioner. The salaries of  
14 the Director and Deputy Director shall be as provided in the annual State budget.

15 (b) Subject to the authority of the Commissioner, the Pretrial Release Services  
16 Program shall, in addition to any other duties provided for by law, perform the pretrial  
17 release duties formerly performed by the Pretrial Release Services Division of the  
18 Department of Public Safety and Correctional Services, the Pretrial Release Committee,  
19 and the Division of Parole and Probation.

20 4-1407.

21 (a) There is a Baltimore City Detention Center AND A PRINCE GEORGE'S  
22 COUNTY DETENTION CENTER which [is part] ARE PARTS of the Division.

23 (b) The Baltimore City Detention Center [is a] AND THE PRINCE GEORGE'S  
24 COUNTY DETENTION CENTER ARE [pretrial] detention [facility] FACILITIES for any  
25 person committed or transferred to the custody of the Commissioner.

26 (c) The Secretary may authorize the housing, in the Baltimore City Detention  
27 Center OR THE PRINCE GEORGE'S COUNTY DETENTION CENTER, of any person held  
28 in custody under any agency of the Department.

29 4-1408.

30 (a) With the approval of the Secretary, the Commissioner shall appoint a Warden  
31 of the Baltimore City Detention Center AND A WARDEN OF THE PRINCE GEORGE'S  
32 COUNTY DETENTION CENTER.

33 (b) [The Warden of the Baltimore City Detention Center] EACH WARDEN  
34 serves at the pleasure of the Commissioner.

35 (c) [The Warden] EACH WARDEN is in charge of the [Baltimore City Detention  
36 Center] WARDEN'S RESPECTIVE DETENTION CENTER, subject to the authority of the  
37 Commissioner and the Secretary.

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1 4-1409.

2 (a) The Commissioner may appoint assistant wardens for [the Baltimore City  
3 Detention Center] EACH DETENTION CENTER, as are provided for in the annual  
4 budget.

5 (b) An assistant warden [of the Baltimore City Detention Center] serves at the  
6 pleasure of the Commissioner.

7 (c) An assistant warden, designated by the Warden, is in charge of the [Baltimore  
8 City Detention Center] DETENTION CENTER, in the absence of the Warden, subject to  
9 the authority of the Commissioner and the Secretary.

10 4-1410.

11 (a) Any person committed to the custody of the Baltimore City Jail for any  
12 purpose other than the service of a sentence, as of July 1, 1991 OR ANY PERSON  
13 COMMITTED TO THE CUSTODY OF THE PRINCE GEORGE'S COUNTY DETENTION  
14 CENTER FOR ANY PURPOSE AS OF JULY 1, 1997, is, on that date, committed to the  
15 custody of the Commissioner.

16 (b) Any person committed to the custody of the Baltimore City Jail for service of  
17 a sentence as of July 1, 1991 is, on that date, committed to the custody of the  
18 Commissioner of Correction.

19 (c) A judge of any court in Baltimore City who commits any person to custody for  
20 any purpose other than service of a sentence shall commit the person to the custody of the  
21 Commissioner OF CORRECTION.

22 (d) Notwithstanding any provision of the Code to the contrary, a judge of any  
23 court in Baltimore City OR IN PRINCE GEORGE'S COUNTY who commits any person to  
24 custody for service of any sentence shall commit the person to the custody of the  
25 Commissioner of Correction.

26 4-1411.

27 (a) (1) On July 1, 1991 title to and possession of all records concerning inmates  
28 housed as of that date at the Baltimore City Jail shall be transferred to the Warden of the  
29 Baltimore City Detention Center or a designee.

30 (2) ON JULY 1, 1997 TITLE TO AND POSSESSION OF ALL RECORDS  
31 CONCERNING INMATES HOUSED AS OF THAT DATE AT THE PRINCE GEORGE'S  
32 COUNTY DETENTION CENTER SHALL BE TRANSFERRED TO THE WARDEN OF THE  
33 PRINCE GEORGE'S COUNTY DETENTION CENTER UNDER THE JURISDICTION OF THE  
34 DIVISION.

35 (b) (1) Except as provided in subsection (a) of this section, all administrative,  
36 financial, operational, inmate, and other records concerning the Baltimore City Jail AND  
37 THE PRINCE GEORGE'S COUNTY DETENTION CENTER shall be preserved by the City of  
38 Baltimore AND PRINCE GEORGE'S COUNTY, RESPECTIVELY, for a period of 5 years, or  
39 for such other period as may be agreed upon between the Commissioner and the City of  
40 Baltimore OR PRINCE GEORGE'S COUNTY.

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1 (2) The records shall be made available, upon request, to any State  
2 personnel who require the records in connection with the performance of their official  
3 duties.

4 (3) The City of Baltimore AND PRINCE GEORGE'S COUNTY, AS  
5 APPROPRIATE, [will] SHALL transfer possession of the records to the Division of  
6 Pretrial Detention and Services, upon request.

7 (c) Any records transferred to the Division will be made available, upon request,  
8 to [city] BALTIMORE CITY OR PRINCE GEORGE'S COUNTY personnel who require the  
9 records in connection with the performance of their official duties.

10 4-1412.

11 (a) Every officer and every employee of the Baltimore City Jail as of June 30, 1991  
12 shall be terminated from city employment. Except as provided in this subtitle, any earned  
13 or accrued benefit such as leave and seniority rights, which these individuals have earned  
14 or accrued as of June 30, 1991 shall be the sole financial responsibility of the City of  
15 Baltimore. None of these benefits or any other benefit is an obligation of the State.

16 (b) (1) On July 1, 1991 the Division may employ, as it deems necessary, any  
17 officers or employees of the Baltimore City Jail at the same salaries received on January  
18 31, 1991 or the salaries received at the time of employment, whichever are greater,  
19 without further examination or qualification.

20 (2) For the purposes of paragraph (1) of this subsection, the Division shall  
21 recognize employee salaries as of January 31, 1991 plus any salary increases attributable  
22 to:

23 (i) Longevity and salary increments associated only with an  
24 employee's anniversary date of employment;

25 (ii) Promotions prior to March 30, 1991; and

26 (iii) Promotions to fill vacancies.

27 (3) The salary increases specified in paragraph (2) of this subsection shall be  
28 recognized only pursuant to Baltimore City personnel policies in effect on January 31,  
29 1991.

30 (4) If a classified service employee was employed by the State in accordance  
31 with paragraph (1) of this subsection, beginning January 1, 1996, the employee's years of  
32 service as an employee of Baltimore City shall be added to the employee's years of service  
33 with the State for the purpose of determining:

34 (i) The annual leave accrual rate provided in § 9-302 of the State  
35 Personnel and Pensions Article;

36 (ii) Seniority under Title 11, Subtitle 2 of the State Personnel and  
37 Pensions Article, relating to layoffs; and

38 (iii) Seniority under § 4-205(c) of the State Personnel and Pensions  
39 Article, relating to promotions.

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1 (c) Each position held by such persons shall be in the unclassified service and  
2 such persons shall serve at the pleasure of the Secretary until such time, if any, as the  
3 position is classified by the Department of Budget and Management, upon the  
4 recommendation of the Secretary.

5 (d) On or before December 31, 1991, the Department of Personnel shall review  
6 the positions at the Division and classify each position not excluded by law from the  
7 classified service.

8 (e) Persons employed under subsection (b) of this section and holding positions  
9 classified under subsection (d) of this section may continue to hold the newly classified  
10 positions without further examination and shall have all the rights of the class to which  
11 the positions are allocated.

12 (f) Beginning January 1, 1992, the creation and filling of all classified service  
13 positions shall be in accordance with the provisions of the State Personnel and Pensions  
14 Article that govern classified service employees.

15 (g) The salary of the officers and employees of the Division shall be as set forth in  
16 the State budget.

17 (h) It shall be the responsibility of the City of Baltimore to pay whatever moneys  
18 are due upon termination of city employment as of June 30, 1991, to any officer or  
19 employee of the Baltimore City Jail.

20 4-1412.1.

21 (A) EVERY OFFICER AND EVERY EMPLOYEE OF THE PRINCE GEORGE'S  
22 COUNTY DETENTION CENTER AS OF JUNE 30, 1997 SHALL BE TRANSFERRED FROM  
23 COUNTY EMPLOYMENT TO STATE EMPLOYMENT WITHOUT DIMINUTION OF SALARY,  
24 ANY EARNED OR ACCRUED LEAVE BENEFITS, AND SENIORITY RIGHTS, OR ANY  
25 OTHER BENEFITS.

26 (B) (1) ON JULY 1, 1997 THE DIVISION SHALL EMPLOY THE OFFICERS AND  
27 EMPLOYEES OF THE PRINCE GEORGE'S COUNTY DETENTION CENTER AT THE SAME  
28 SALARIES RECEIVED ON JANUARY 31, 1997 WITHOUT FURTHER EXAMINATION OR  
29 QUALIFICATION.

30 (2) FOR THE PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, THE  
31 DIVISION SHALL RECOGNIZE EMPLOYEE SALARIES AS OF JANUARY 31, 1997 PLUS  
32 ANY SALARY INCREASES ATTRIBUTABLE TO:

33 (I) LONGEVITY AND SALARY INCREMENTS ASSOCIATED ONLY  
34 WITH AN EMPLOYEE'S ANNIVERSARY DATE OF EMPLOYMENT;

35 (II) PROMOTIONS PRIOR TO MARCH 30, 1997; AND

36 (III) PROMOTIONS TO FILL VACANCIES.

37 (3) WITH THIS SECTION, BEGINNING JANUARY 1, 1998, AN EMPLOYEE'S  
38 YEARS OF SERVICE AS AN EMPLOYEE OF PRINCE GEORGE'S COUNTY SHALL BE  
39 ADDED TO THE EMPLOYEE'S YEARS OF SERVICE WITH THE STATE FOR THE  
40 PURPOSE OF DETERMINING:



9

1 (I) THE ANNUAL LEAVE ACCRUAL RATE PROVIDED IN § 9-302 OF  
2 THE STATE PERSONNEL AND PENSIONS ARTICLE; AND

3 (II) SENIORITY UNDER TITLE 11, SUBTITLE 2 OF THE STATE  
4 PERSONNEL AND PENSIONS ARTICLE, RELATING TO LAYOFFS.

5 (C) ON OR BEFORE DECEMBER 31, 1997, EACH POSITION HELD BY PERSONS  
6 UNDER SUBSECTION (B) OF THIS SECTION SHALL BE CLASSIFIED IN THE SKILLED OR  
7 PROFESSIONAL SERVICE BY THE DEPARTMENT OF BUDGET AND MANAGEMENT ON  
8 THE RECOMMENDATION OF THE SECRETARY.

9 (D) PERSONS EMPLOYED UNDER SUBSECTION (B) OF THIS SECTION AND  
10 HOLDING POSITIONS CLASSIFIED UNDER SUBSECTION (C) OF THIS SECTION MAY  
11 CONTINUE TO HOLD THE NEWLY CLASSIFIED POSITIONS WITHOUT FURTHER  
12 EXAMINATION AND SHALL HAVE ALL THE RIGHTS OF THE CLASS TO WHICH THE  
13 POSITIONS ARE ALLOCATED.

14 4-1413.

15 (a) (1) The Secretary, the Jail Board of the Baltimore City Jail, and the City of  
16 Baltimore shall enter into an agreement effective July 1, 1991 for the purpose of  
17 transferring all the rights, title, and interests of the property, assets, licenses, and credits  
18 of the Baltimore City Jail or any property or other assets used or acquired for the  
19 Baltimore City Correctional Facility to the Secretary, to be used for the Baltimore City  
20 Detention Center, or as otherwise directed or authorized by the Secretary.

21 (2) The assets and property shall include, but are not limited to:

22 (i) The Jail Industries Building;

23 (ii) The Graves Street Work Release Center;

24 (iii) The Baltimore City Jail Administration Building;

25 (iv) 801 Fallsway Property (adjacent to the Baltimore City Jail); and

26 (v) The Baltimore City Complex: the Control Center, the Men's  
27 Detention Center, the Main, North, and South Buildings, the Women's Detention  
28 Center, the Power Plant, the Annex Building, the kitchen, the dining building, and the  
29 Wyatt Building.

30 (3) Upon execution of the agreement as provided in paragraph (1) of this  
31 subsection, the City of Baltimore and the Baltimore City Jail Board shall make, and the  
32 Secretary shall accept, a conveyance of the real property, other property, assets, licenses,  
33 credits, and rights which are the subject of the agreement.

34 (4) (i) In the Secretary's discretion, the Secretary may assume in writing  
35 such liabilities and obligations of Baltimore City as the Secretary considers necessary or  
36 useful.

37 (ii) Except as otherwise provided in subsection (b) of this section, the  
38 Secretary may assume such liabilities or obligations only if the nature and terms of the  
39 obligations or liabilities to be assumed are consistent with the laws and regulations of the  
40 State.

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1 (iii) No liability, contract, or obligation of Baltimore City is a liability,  
2 contract, or obligation of the State of Maryland, unless such liability, contract, or  
3 obligation is expressly assumed by the Secretary in writing.

4 (iv) Baltimore City shall indemnify and hold harmless the State, the  
5 Department, and the Division, for any judgments, damages, liens, settlements, consent  
6 decrees, and other costs, including attorney's fees, arising from the operations of the  
7 Baltimore City Jail, for the actions of the Jail Board of the Baltimore City Jail, or for the  
8 acts or omissions of their employees, officers, or agents which occurred on or before June  
9 30, 1991.

10 (v) On or after July 1, 1991, an officer and employee of the Baltimore  
11 City Jail shall be covered by the Local Government Tort Claims Act for any act or  
12 omission that occurred in connection with the performance of the officer's and  
13 employee's duties on or before June 30, 1991.

14 (vi) On or after July 1, 1991, an officer and employee of the Division of  
15 Pretrial Detention and Services shall be covered by the State Tort Claims Act for any act  
16 or omission that occurred in connection with the performance of the officer's and  
17 employee's duties on or after July 1, 1991.

18 (b) (1) Before July 1, 1991, the Secretary may in the Secretary's discretion,  
19 assume by written agreement as assignee, any procurement and construction contract  
20 entered into by or on behalf of the Baltimore City Jail prior to June 1, 1991. The  
21 Secretary may assume such procurement and construction contracts without regard to  
22 whether the contracts conform to the requirements of Division II of the State Finance  
23 and Procurement Article and the regulations issued under that article or any other  
24 provision of law.

25 (2) Before September 1, 1991, the Division may enter procurement and  
26 construction contracts connected with operation of the Baltimore City Detention Center  
27 without compliance with the requirements of Division II of the State Finance and  
28 Procurement Article and the regulations issued under that article.

29 (3) After August 31, 1991, procurement by or on behalf of the Baltimore  
30 City Detention Center shall be in accordance with Division II of the State Finance and  
31 Procurement Article, and the regulations issued under that article.

32 (4) For purposes of this section, "procurement" and "procurement contract"  
33 have the meanings stated in § 11-101 of the State Finance and Procurement Article.

34 4-1413.1.

35 (A) (1) THE SECRETARY AND PRINCE GEORGE'S COUNTY SHALL ENTER  
36 INTO AN AGREEMENT EFFECTIVE JULY 1, 1997 FOR THE PURPOSE OF TRANSFERRING  
37 ALL THE RIGHTS, TITLE, AND INTERESTS OF THE PROPERTY, ASSETS, LICENSES, AND  
38 CREDITS OF THE PRINCE GEORGE'S COUNTY DETENTION CENTER TO THE  
39 SECRETARY, TO BE USED AS DIRECTED OR AUTHORIZED BY THE SECRETARY.

40 (2) UPON EXECUTION OF THE AGREEMENT AS PROVIDED IN  
41 PARAGRAPH (1) OF THIS SUBSECTION, PRINCE GEORGE'S COUNTY SHALL MAKE,  
42 AND THE SECRETARY SHALL ACCEPT, A CONVEYANCE OF THE REAL PROPERTY,

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1 OTHER PROPERTY, ASSETS, LICENSES, CREDITS, AND RIGHTS WHICH ARE THE  
2 SUBJECT OF THE AGREEMENT.

3 (3) (I) IN THE SECRETARY'S DISCRETION, THE SECRETARY MAY  
4 ASSUME IN WRITING SUCH LIABILITIES AND OBLIGATIONS OF PRINCE GEORGE'S  
5 COUNTY AS THE SECRETARY CONSIDERS NECESSARY OR USEFUL.

6 (II) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (B) OF THIS  
7 SECTION, THE SECRETARY MAY ASSUME SUCH LIABILITIES OR OBLIGATIONS ONLY  
8 IF THE NATURE AND TERMS OF THE OBLIGATIONS OR LIABILITIES TO BE ASSUMED  
9 ARE CONSISTENT WITH THE LAWS AND REGULATIONS OF THE STATE.

10 (III) ANY LIABILITY, CONTRACT, OR OBLIGATION OF PRINCE  
11 GEORGE'S COUNTY IS NOT A LIABILITY, CONTRACT, OR OBLIGATION OF THE STATE  
12 OF MARYLAND, UNLESS THE LIABILITY, CONTRACT, OR OBLIGATION IS EXPRESSLY  
13 ASSUMED BY THE SECRETARY IN WRITING.

14 (IV) PRINCE GEORGE'S COUNTY SHALL INDEMNIFY AND HOLD  
15 HARMLESS THE STATE, THE DEPARTMENT, AND THE DIVISION, FOR ANY  
16 JUDGMENTS, DAMAGES, LIENS, SETTLEMENTS, CONSENT DECREES, AND OTHER  
17 COSTS, INCLUDING ATTORNEY'S FEES, ARISING FROM THE OPERATIONS OF THE  
18 PRINCE GEORGE'S COUNTY DETENTION CENTER FOR THE ACTS OR OMISSIONS OF  
19 THEIR EMPLOYEES, OFFICERS, OR AGENTS WHICH OCCURRED ON OR BEFORE JUNE  
20 30, 1997.

21 (V) ON OR AFTER JULY 1, 1997, AN OFFICER AND EMPLOYEE OF  
22 THE PRINCE GEORGE'S COUNTY DETENTION CENTER SHALL BE COVERED BY THE  
23 LOCAL GOVERNMENT TORT CLAIMS ACT FOR ANY ACT OR OMISSION THAT  
24 OCCURRED IN CONNECTION WITH THE PERFORMANCE OF THE OFFICER'S AND  
25 EMPLOYEE'S DUTIES ON OR BEFORE JUNE 30, 1997.

26 (VI) ON OR AFTER JULY 1, 1997, AN OFFICER AND EMPLOYEE OF  
27 THE DIVISION OF PRETRIAL DETENTION AND SERVICES SHALL BE COVERED BY THE  
28 STATE TORT CLAIMS ACT FOR ANY ACT OR OMISSION THAT OCCURRED IN  
29 CONNECTION WITH THE PERFORMANCE OF THE OFFICER'S AND EMPLOYEE'S  
30 DUTIES ON OR AFTER JULY 1, 1997.

31 (B) (1) BEFORE JULY 1, 1997, THE SECRETARY MAY ASSUME BY WRITTEN  
32 AGREEMENT AS ASSIGNEE, ANY PROCUREMENT AND CONSTRUCTION CONTRACT  
33 ENTERED INTO BY OR ON BEHALF OF THE PRINCE GEORGE'S COUNTY DETENTION  
34 CENTER PRIOR TO JUNE 1, 1997. THE SECRETARY MAY ASSUME SUCH PROCUREMENT  
35 AND CONSTRUCTION CONTRACTS WITHOUT REGARD TO WHETHER THE  
36 CONTRACTS CONFORM TO THE REQUIREMENTS OF DIVISION II OF THE STATE  
37 FINANCE AND PROCUREMENT ARTICLE AND THE REGULATIONS ISSUED UNDER  
38 THAT ARTICLE OR ANY OTHER PROVISION OF LAW.

39 (2) BEFORE SEPTEMBER 1, 1997, THE DIVISION MAY ENTER INTO  
40 PROCUREMENT AND CONSTRUCTION CONTRACTS CONNECTED WITH THE  
41 OPERATION OF THE PRINCE GEORGE'S COUNTY DETENTION CENTER WITHOUT  
42 COMPLIANCE WITH THE REQUIREMENTS OF DIVISION II OF THE STATE FINANCE

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1 AND PROCUREMENT ARTICLE AND THE REGULATIONS ISSUED UNDER THAT  
2 ARTICLE.

3 (3) AFTER AUGUST 31, 1997, PROCUREMENT BY OR ON BEHALF OF THE  
4 PRINCE GEORGE'S COUNTY DETENTION CENTER SHALL BE IN ACCORDANCE WITH  
5 DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND THE  
6 REGULATIONS ISSUED UNDER THAT ARTICLE.

7 (4) FOR PURPOSES OF THIS SECTION, "PROCUREMENT" AND  
8 "PROCUREMENT CONTRACT" HAVE THE MEANINGS STATED IN § 11-101 OF THE  
9 STATE FINANCE AND PROCUREMENT ARTICLE.

10 **Article 27 - Crimes and Punishments**

11 616K.

12 (a) The phrase "appropriate court" as used in the Interstate Agreement on  
13 Detainers, with reference to the courts of this State, means any court in this State having  
14 criminal jurisdiction which is part of the circuit court of a county, the District Court or  
15 any other court than these specified courts.

16 (b) The phrase "correctional institution" as used in the Interstate Agreement on  
17 Detainers, with reference to correctional institutions in this State means any institution or  
18 facility referred to in § 689 of this article and the jail of any county [or], THE PRINCE  
19 GEORGE'S COUNTY DETENTION CENTER, OR the Baltimore City Detention Center.

20 645W.

21 (a) (1) At any time during a period of confinement, and in accordance with  
22 programs available, the Commissioner of Pretrial Detention and Services may prescribe  
23 that a person detained in the Baltimore City Detention Center OR THE PRINCE  
24 GEORGE'S COUNTY DETENTION CENTER if approved by the judge ordering the  
25 confinement, or if he is unable to act then any other judge of the committing court, may  
26 continue the person's regular employment, obtain new employment, participate in a  
27 training or rehabilitation or other special program, or attend educational institutions,  
28 during the period of custody.

29 (2) A prisoner in a prescribed program pursuant to this section shall be held  
30 in custody between program hours or periods. Within the discretion of the Commissioner  
31 or the Commissioner's designee, a prisoner in a prescribed program may be held in  
32 custody through home detention by the use of electronic monitoring devices.

33 (3) The Commissioner may contract, subject to the availability of funds, for  
34 halfway houses or other suitable housing facilities or electronic monitoring devices for  
35 prisoners in a prescribed program.

36 (b) A prisoner employed under a work release plan shall surrender to the  
37 Commissioner or the Commissioner's designee the total earnings, less payroll deductions  
38 required by law. The Commissioner or the Commissioner's designee shall deduct from  
39 these earnings after payroll deductions (net earnings) in the following order of priority:  
40 An amount for the cost to the State of providing food, lodging, electronic monitoring  
41 devices, and clothing for the prisoner (but not to exceed one third of net earnings); the  
42 actual and necessary food, travel, and other expenses of the prisoner when released from

13

1 actual custody under the program; the amount which the prisoner may be legally  
 2 obligated to pay for the support of his dependents by court order directed to the  
 3 Commissioner, which amount shall be paid to the dependents as the order directs; and  
 4 the amount ordered to be paid by the court as restitution. Any balance remaining after  
 5 these deductions and payments shall be credited to the prisoner's account and shall be  
 6 paid to the prisoner upon release. In those cases in which the prisoner's final earnings  
 7 under a work release plan are required to satisfy the obligatory deductions set forth in  
 8 this subsection, the balance of such earnings shall be forwarded to the prisoner within 15  
 9 days of the date of release from the Baltimore City Detention Center OR THE PRINCE  
 10 GEORGE'S COUNTY DETENTION CENTER.

11 645GG.

12 (a) (1) In this section the following terms have the meanings indicated.

13 (2) "Local detention center" means a jail, work release, or prerelease  
 14 center, or any other correctional facility operated by 1 or more counties for the purpose  
 15 of adult detention and confinement.

16 (3) "Weekend prisoner" means a prisoner sentenced to a local detention  
 17 center for nonconsecutive periods of 48 hours or less per week.

18 (b) [The] EXCEPT FOR PRINCE GEORGE'S COUNTY AND THE CITY OF  
 19 BALTIMORE, THE governing body of a county may impose on and collect from a weekend  
 20 prisoner a reasonable fee in an amount not to exceed the average cost of providing food,  
 21 lodging, and clothing for a prisoner.

22 (c) (1) [If] EXCEPT FOR PRINCE GEORGE'S COUNTY AND THE CITY OF  
 23 BALTIMORE, IF the governing body of a county decides to impose a fee under this  
 24 section, the governing body shall adopt standard procedures to implement this section.

25 (2) Procedures adopted under this section shall include a provision for the  
 26 waiver of a part or all of a fee imposed under this section based on the ability of a  
 27 prisoner to pay the fee.

28 690.

29 (c) (1) Notwithstanding any provision of this article or any other law to the  
 30 contrary, and except as provided in paragraph (2) of this subsection, a sentence by any  
 31 judge to the jurisdiction of the Division shall comply with the following stipulations:

32 (i) As of January 1, 1987, no sentence shall be 6 months or less;

33 (ii) As of January 1, 1988, no sentence shall be for less than 12 months;

34 and

35 (iii) As of January 1, 1989, no sentence shall be 12 months or less.

36 (2) (i) Expired.

37 (ii) A judge may sentence an individual to the jurisdiction of the  
 38 Division for 12 months or less if the sentence is for an offense committed by the  
 39 individual while an inmate in a facility under the jurisdiction of the Division and the  
 40 individual is still under the jurisdiction of the Division.

14

1 (3) This subsection does not apply to any person sentenced in Baltimore  
2 City OR PRINCE GEORGE'S COUNTY.

3 (j) (1) After the end of each fiscal year the State shall reimburse the counties,  
4 EXCEPT FOR PRINCE GEORGE'S COUNTY AND THE CITY OF BALTIMORE, for medical  
5 expenses that exceed \$25,000 for each person confined in a local detention facility,  
6 regardless of whether the person has been sentenced.

7 (2) If medical expenses for a person described under paragraph (1) of this  
8 subsection exceed \$25,000 in a fiscal year, the medical expenses for the person that  
9 exceed \$25,000 shall be excluded from the total annual operating costs used to determine  
10 reimbursements to the counties as provided in subsections (d) and (i) of this section.

11 704A.

12 (a) In this section "local detention center" means a county or town jail, work  
13 release or prerelease center, the Baltimore City Detention Center, THE PRINCE  
14 GEORGE'S COUNTY DETENTION CENTER, or any correctional facility operated by one  
15 or more counties for the purpose of adult detention and confinement.

16 (b) An inmate sentenced to or held in a pre-trial or pre-sentence status in a local  
17 detention center is entitled to a diminution of the period of his or her confinement in  
18 accordance with the provisions of this section.

19 (c) For each calendar month during which the inmate is not guilty of a violation of  
20 applicable rules of discipline and labors with diligence and fidelity when the opportunity  
21 for labor is made available, the inmate shall be allowed a deduction of 5 days from the  
22 period of the commitment or sentence. These deductions:

23 (1) Shall commence on the day the inmate arrived at the local detention  
24 center;

25 (2) Shall be made on a prorated basis for any portion of a calendar month  
26 during which the inmate was committed to the local detention center; and

27 (3) Shall cease upon release or commitment to the custody of the  
28 Commissioner.

29 (d) (1) Subject to the inmate's future good conduct, each inmate sentenced to a  
30 local detention center shall be allowed an initial deduction from the period of the  
31 commitment or sentence.

32 (2) This deduction shall be calculated at the rate of 5 days for each calendar  
33 month, and on a prorated basis for any portion of a calendar month, within the period  
34 between the first day of commitment to the custody of the local detention center and the  
35 last day of the inmate's maximum term of confinement.

36 (e) For each calendar month during which the inmate has manifested exceptional  
37 industry, application, and skill in the performance of any industrial, agricultural, or  
38 administrative tasks assigned to the inmate, or where he or she has manifested  
39 satisfactory industry, application, and progress in any vocational or other educational and  
40 training courses, the inmate may be allowed an additional deduction of 5 days from the  
41 period of his or her commitment or sentence. These deductions:

15

1 (1) Shall commence on the first day that the task is performed or the course  
2 is taken;

3 (2) Shall be made on a prorated basis for any portion of a calendar month  
4 during which the inmate performed the task or attended the course; and

5 (3) Shall cease upon release or commitment of the inmate to the custody of  
6 the Commissioner.

7 (f) For each calendar month or fraction thereof commencing on the first day of  
8 assignment, during which the inmate has manifested satisfactory industry, application,  
9 and progress in special selected work projects, or other special programs, he or she may  
10 be allowed an additional deduction of days, not exceeding 5 in number, from the period  
11 of his or her commitment or sentence. Such projects and programs shall be designated by  
12 the managing officer of the local detention center.

13 (g) For each and every violation of the rules of discipline of the local detention  
14 center, the managing officer of the local detention center may deduct all gained time in  
15 the month in which such violation occurs. Further, according to the aggravated nature or  
16 frequency of the violation, a deduction may be made of some or all of the time gained for  
17 good conduct under subsections (c) and (d) of this section. The deductions allowed and  
18 earned under subsections (e) and (f) of this section shall not be affected by the provisions  
19 of this subsection. An inmate may not forfeit time gained unless prior to the forfeiture he  
20 or she is afforded due process of law.

21 (h) If the inmate is ultimately committed to the custody of the Commissioner of  
22 Correction, or transferred to another local detention center, the inmate's records of  
23 accrued credits for diminution of sentence shall be forwarded to the receiving institution,  
24 which shall apply the credits to reduce the inmate's period of confinement.

25 (i) An inmate entitled to a diminution of the period of his or her confinement  
26 under this section who is transferred to a hospital or mental institution may not be denied  
27 credit authorized by this section.

28 705.

29 (a) (1) A "local detention center" means any jail, work release, or prerelease  
30 center, or any other correctional facility operated by one or more counties for the purpose  
31 of adult detention and confinement.

32 (2) "Secretary" means the Secretary of the Department of Public Safety and  
33 Correctional Services.

34 (3) (I) "County" or "counties" means 1 or more of the [23] counties of  
35 Maryland.

36 (II) "COUNTY" DOES NOT INCLUDE THE CITY OF BALTIMORE OR  
37 PRINCE GEORGE'S COUNTY.

38 (b) The governing body of one or more counties may establish and maintain a  
39 local detention center and may enter into a written agreement with each other as to  
40 allocation of responsibility, construction, operation, maintenance and appointment of  
41 personnel. The State may, but need not be a party to any such agreement.

16

1 (c) The chief administrator of a local detention center shall be responsible for the  
2 safekeeping and care of all prisoners and other persons detained or sentenced to the local  
3 detention center from the time they are lawfully detained in or committed thereto, until  
4 discharged, released or withdrawn pursuant to court order or other lawful authority.  
5 Nothing herein shall affect the powers and duties of the sheriff of any county in respect to  
6 the safekeeping and custody of all prisoners or persons, except when the prisoners or  
7 persons are lawfully assigned to a local detention center operated by more than 1 county.

8 (d) Except as provided in subsection (e) of this section:

9 (1) Upon the determination by a county or counties to build or maintain a  
10 local detention center, application may be made to the Secretary for financial assistance  
11 for the construction or enlargement of the facility. The applicant shall provide such  
12 information in such form as may be required by the Secretary, including the program and  
13 plans for construction, and the rehabilitation and training programs to be instituted.

14 (2) Where any county or counties has its plan for construction approved by  
15 the Secretary, the State shall pay the same share as that provided for jail construction or  
16 rehabilitation.

17 (3) The Secretary is hereby authorized to receive any grant of funds from  
18 the federal government or any other public or private foundation or agency for the  
19 purposes designated in this section.

20 (4) In the event any county maintaining, operating or participating in a local  
21 detention and correctional center provides for making improvements resulting from the  
22 adoption of mandatory or approved standards to the local detention and correctional  
23 center, the jail or other such places of detention of said county, counties or city, the State,  
24 through the Board of Public Works, shall make provision for paying one-half of the costs  
25 of such construction or improvements, the plans and costs for same to be approved by the  
26 Secretary of Public Safety and Correctional Services, the Division of Correction, the  
27 Department of General Services and the Department of Budget and Management.

28 (e) (1) On a determination by the Secretary that the anticipated confinement of  
29 prisoners in a county's local detention center as a result of sentences imposed under §  
30 690(c)(1)(ii) and (iii) of this article would cause the capacity of that detention center to  
31 be exceeded, the county may make application to the Secretary for financial assistance for  
32 the construction or enlargement of the detention center.

33 (2) For purposes of anticipating prisoner confinement under paragraph (1)  
34 of this subsection, the Secretary annually shall review and study each county's local  
35 detention center population in conjunction with data relevant to patterns of sentencing  
36 and to patterns of geographic distribution of prisoners.

37 (3) (i) Subject to the budget appropriation process, where any county has  
38 its plan for construction approved by the Secretary under this subsection, the State shall  
39 pay 100 percent of the approved costs for acquisition, construction, architectural and  
40 engineering services, and capital equipment, for a new local detention center or  
41 expansion in accordance with this subsection.

42 (ii) In the event a county construction plan is disapproved by the  
43 Secretary under this subsection, the county may appeal to the Board of Public Works for



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1 approval of the construction plan and, if such approval is granted, the State shall pay,  
2 subject to the budget appropriation process, 100 percent of the approved costs for  
3 acquisition, construction, architectural and engineering services, and capital equipment  
4 for a new local detention center or expansion in accordance with this subsection.

5 (4) The plans and costs for the construction or expansion of a local  
6 detention center undertaken by a county under this subsection shall be subject to the  
7 process and procedures followed by State agencies for requested capital projects and shall  
8 be approved by the Secretary of Public Safety and Correctional Services.

9 (f) The Secretary, upon approving facility plans which will necessitate State  
10 financial assistance, shall enter into a written agreement with the county or counties  
11 involved setting forth the rights, powers, duties and responsibilities of all parties. The  
12 agreement may provide for the housing and rehabilitation in a local detention center of  
13 prisoners sentenced to State institutions upon conditions agreed on by all parties. A  
14 contract may not be approved by the Secretary unless it provides for a periodic review of  
15 the facilities and all rehabilitation and training programs of the institution by the  
16 Maryland Commission on Correctional Standards and it provides that the facility is in  
17 substantial compliance with this Commission's mandatory standards. In the absence of  
18 any contractual agreement, court order, or consent decree, prisoners sentenced to the  
19 Commissioner of Correction may not be housed in the local detention center awaiting  
20 transfer to the Division of Correction more than 30 days.

21 (g) Notwithstanding any other provisions of the Annotated Code of Maryland, a  
22 judge of the circuit court for any county or any judge of the District Court may sentence  
23 a convicted offender to a local detention center; if the sentence to be then executed is for  
24 a period of not more than 18 months and the court imposing the sentence is located  
25 within a jurisdiction which is a party to the operation and maintenance of the facility to  
26 which the person is sentenced.

27 (h) All agreements, contracts and other instruments approved by the Secretary  
28 shall be subject to the approval of the Board of Public Works before final execution.

29 SECTION 2. AND BE IT FURTHER ENACTED, That at the request of any  
30 former officer or employee of the Prince George's County Detention Center who accepts  
31 employment with the Division of Pretrial Detention and Services on July 1, 1997, the  
32 State shall provide up to a maximum of 40 days of sick leave and 7 days of annual leave,  
33 to the extent earned and unused as an employee of Prince George's County.

34 SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding any other  
35 provision of local law, Prince George's County shall pay to every former officer and  
36 employee of the Prince George's County Detention Center whose employment was  
37 terminated on June 30, 1997, regardless of years of service, any earned and unused sick  
38 and annual leave that is not provided by the State in accordance with Section 2 of this  
39 Act. Leave paid by Prince George's County under this section shall be in accordance with  
40 the personnel policies and practices applicable to Prince George's County Detention  
41 Center on June 30, 1997.

42 SECTION 4. AND BE IT FURTHER ENACTED, That Prince George's County  
43 shall pay to every officer and employee of the Prince George's County Detention Center  
44 who accepts employment with the Division of Pretrial Detention and Services on July 1,

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1 1997 but is terminated from employment with the Division of Pretrial Detention and  
2 Services on or before December 31, 1997 in accordance with Section 1 of this Act any sick  
3 leave that was provided to the employee by the State under Section 2 of this Act and not  
4 used. Leave paid by Prince George's County under this section shall be in accordance  
5 with the personnel policies and practices applicable to the Prince George's County  
6 Detention Center on June 30, 1997.

7 At the request of Prince George's County, the Division of Pretrial Detention and  
8 Services shall provide to the County information as to the amount of any sick leave used  
9 by the employees during their employment with the State from July 1, 1997 to December  
10 31, 1997.

11 SECTION 5. AND BE IT FURTHER ENACTED, That Prince George's County  
12 shall pay to the Department of Public Safety and Correctional Services the cost of all  
13 annual leave provided by the State to any former officer and employee of the Prince  
14 George's County Detention Center under Section 2 of this Act by December 31, 1997.

15 SECTION 6. AND BE IT FURTHER ENACTED, That Prince George's County  
16 and the State of Maryland shall establish a process to inform and advise employees of the  
17 Prince George's County Detention Center of their employment status and the terms and  
18 conditions of employment, if any, with the Division of Pretrial Detention and Services and  
19 to offer counseling as to the range of options available. Employees of the Prince George's  
20 County Detention Center who will not be employed on July 1, 1997 by the Division of  
21 Pretrial Detention and Services shall be given 2 weeks advance notice by the Division that  
22 they will not be employed on July 1, 1997 by the State. This section may not be construed  
23 to create any right of employment with the Division of Pretrial Detention and Services.

24 SECTION 7. AND BE IT FURTHER ENACTED, That this Act does not alter or  
25 terminate the State's obligation to Prince George's County, or the County's obligation to  
26 the State, with respect to any contract for a capital project awarded prior to June 30,  
27 1997, or local jail reimbursement expenses incurred prior to July 1, 1997, including any  
28 encumbered balances due.

29 SECTION 8. AND BE IT FURTHER ENACTED, That any Fiscal Year 1997  
30 budget deficiency incurred by Prince George's County in the operation of the Prince  
31 George's County Detention Center is the sole financial responsibility of the County and is  
32 not an obligation of the State.

33 SECTION 9. AND BE IT FURTHER ENACTED, That before July 1, 1997, the  
34 Department of Public Safety and Correctional Services shall submit to the Department of  
35 Budget and Management for approval a proposed budget for the Division of Pretrial  
36 Detention and Services that shows, in the form and detail specified by the Department of  
37 Budget and Management, the proposed number and class of positions and proposed  
38 apportionment and disbursement of all revenue sources for operating the Prince George's  
39 County Detention Center. Except for amendments approved in accordance with § 7-209  
40 of the State Finance and Procurement Article, expenditures and disbursements shall be  
41 made in accordance with the approved budget.

42 SECTION 10. AND BE IT FURTHER ENACTED, That notwithstanding any  
43 other provision of State or local law, former Prince George's County Detention Center

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1 employees, while eligible for health insurance benefits as active State employees, may not  
2 receive retiree health insurance benefits from Prince George's County.

3           SECTION 11. AND BE IT FURTHER ENACTED, That if any provision of this  
4 Act or the application thereof to any person or circumstance is held invalid for any reason  
5 in a court of competent jurisdiction, the invalidity does not affect other provisions or any  
6 other application of this Act which can be given effect without the invalid provision or  
7 application, and for this purpose the provisions of this Act are declared severable.

8           SECTION 12. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 June 1, 1997.