
By: **Delegates Walkup, W. Baker, and Guns**
Introduced and read first time: February 11, 2000
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Kent County - Custody and Transportation of Inmates**

3 FOR the purpose of authorizing the County Commissioners of Kent County to
4 provide, by resolution or law, for the custody, safekeeping, and transportation of
5 prisoners by corrections officers or law enforcement officers other than the
6 Sheriff; and generally relating to the custody, safekeeping, and transportation of
7 inmates in Kent County.

8 BY repealing and reenacting, with amendments,
9 Article - Correctional Services
10 Section 11-201
11 Annotated Code of Maryland
12 (1999 Volume)

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

15 **Article - Correctional Services**

16 11-201.

17 (a) (1) The sheriff of a county shall keep safely each individual committed by
18 lawful authority to the custody of the sheriff until the individual is discharged by due
19 course of law.

20 (2) (i) The sheriff shall receive and keep safely in a local correctional
21 facility each individual committed to the custody of the sheriff under authority of the
22 United States until the individual is discharged by due course of law.

23 (ii) An individual committed to the custody of the sheriff under the
24 authority of the United States shall be kept in the same manner and be subject to the
25 same penalties as an individual committed to the custody of the sheriff under the
26 authority of the State.

1 (iii) For keeping and supporting an individual committed to the
2 custody of the sheriff under the authority of the United States, a sheriff is entitled to
3 receive 30 cents per day to be paid by the United States.

4 (b) (1) In a county that has adopted a charter under Article XI-A of the
5 Maryland Constitution, the county council, by resolution or law, may provide for the
6 appointment of a qualified individual as managing official of the local correctional
7 facility and for qualified assistants necessary to perform the duties of that office.

8 (2) A managing official is responsible for the safekeeping, care, and
9 feeding of inmates in the custody of a local correctional facility, including an inmate
10 who is working on the public highways or going to and from that work, until the
11 inmate is discharged, released, or withdrawn from the local correctional facility by
12 due course of law.

13 (3) Except as specifically provided in paragraph (2) of this subsection,
14 this subsection does not affect the powers and duties of the sheriff of a county relating
15 to custody and safekeeping of inmates.

16 (c) (1) The County Council of Anne Arundel County, by resolution or law,
17 may provide for the custody, safekeeping, and transportation of inmates by certified
18 law enforcement officers other than the Sheriff.

19 (2) THE COUNTY COMMISSIONERS OF KENT COUNTY, BY RESOLUTION
20 OR LAW, MAY PROVIDE FOR THE CUSTODY, SAFEKEEPING, AND TRANSPORTATION OF
21 INMATES BY CORRECTIONS OFFICERS OR LAW ENFORCEMENT OFFICERS OTHER
22 THAN THE SHERIFF.

23 (d) The County Council of Baltimore County, by resolution or law, may require
24 that the Sheriff of Baltimore County operate and administer the Baltimore County
25 Jail.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2000.