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By: **Senator Baker**  
Introduced and read first time: January 25, 2000  
Assigned to: Judicial Proceedings

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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.