

---

By: **Allegany County Delegation**

Introduced and read first time: February 2, 2001

Assigned to: Commerce and Government Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Western Maryland - Local Correctional Facility Officials - Appointment by**  
3 **Code Home Rule Counties**

4 FOR the purpose of authorizing the board of county commissioners in a county in  
5 Western Maryland that has adopted code home rule to provide for the  
6 appointment of a managing official and necessary assistants for the local  
7 correctional facility; and generally relating to local correctional facilities.

8 BY repealing and reenacting, with amendments,  
9 Article - Correctional Services  
10 Section 11-201(b)  
11 Annotated Code of Maryland  
12 (1999 Volume and 2000 Supplement)

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 (b) (1) In a county that has adopted a charter under Article XI-A of the  
18 Maryland Constitution OR IN A COUNTY IN WESTERN MARYLAND THAT HAS  
19 ADOPTED CODE HOME RULE UNDER ARTICLE XI-F OF THE MARYLAND  
20 CONSTITUTION, the county council OR THE BOARD OF COUNTY COMMISSIONERS, by  
21 resolution or law, may provide for the appointment of a qualified individual as  
22 managing official of the local correctional facility and for qualified assistants  
23 necessary to perform the duties of that office.

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27 inmate is discharged, released, or withdrawn from the local correctional facility by  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

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

4       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2001.