
By: **Washington County Delegation, Allegany County Delegation, Anne Arundel County Delegation, and Delegates Bozman, McClenahan, Conway, Marriott, and Fulton**

Introduced and read first time: February 9, 2001

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Reimbursement for Costs of Prosecuting State Prisoners**

3 FOR the purpose of requiring the Department of Public Safety and Correctional
4 Services to reimburse State's Attorneys' offices for the costs of prosecuting State
5 prisoners for crimes committed under certain circumstances; defining certain
6 terms; requiring the Department to establish certain procedures; authorizing
7 State's Attorneys' offices to apply for reimbursement for certain activities,
8 requiring a certain report; and generally relating to the costs of prosecuting
9 State prisoners under certain circumstances.

10 BY adding to

11 Article - Courts and Judicial Proceedings
12 Section 5-1201 through 5-1205, inclusive, to be under the new subtitle "Subtitle
13 12. Prosecution for Crimes Committed While in Prison - Reimbursement"
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2000 Supplement)

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

18 **Article - Courts and Judicial Proceedings**

19 **SUBTITLE 12. PROSECUTION FOR CRIMES COMMITTED WHILE INCARCERATED -**
20 **REIMBURSEMENT.**

21 5-1201.

22 (A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
23 INDICATED.

24 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY AND
25 CORRECTIONAL SERVICES.

1 (C) "PRISONER PROSECUTION COSTS" MEANS THE COST OF PROSECUTING A
2 PRISONER FOR A CRIME COMMITTED WHILE THE PRISONER IS IN THE CUSTODY OF
3 THE DEPARTMENT.

4 (D) (1) "PRISONER" MEANS AN INDIVIDUAL WHO IS IN THE CUSTODY OF THE
5 DEPARTMENT.

6 (2) "PRISONER" INCLUDES PRETRIAL DETAINEES.

7 5-1202.

8 THE DEPARTMENT SHALL REIMBURSE A STATE'S ATTORNEY'S OFFICE FOR
9 PRISONER PROSECUTION COSTS.

10 5-1203.

11 THE DEPARTMENT SHALL ESTABLISH PROCEDURES FOR A STATE'S ATTORNEY'S
12 OFFICE TO APPLY FOR REIMBURSEMENT FOR PRISONER PROSECUTION COSTS.

13 5-1204.

14 (1) A STATE'S ATTORNEY'S OFFICE MAY APPLY FOR REIMBURSEMENT
15 FOR PRISONER PROSECUTION COSTS.

16 (2) PRISONER PROSECUTION COSTS THAT ARE ELIGIBLE FOR
17 REIMBURSEMENT INCLUDE COMPENSATION FOR ATTORNEYS, CLERKS, AND
18 SUPPORT STAFF FOR ACTIVITIES NECESSARY FOR THE PROSECUTION OF A
19 PRISONER.

20 5-1205.

21 ON OR BEFORE AUGUST 30 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT A
22 REPORT DETAILING ITS TOTAL PAYMENTS TO STATE'S ATTORNEYS' OFFICES UNDER
23 THE PROVISIONS OF THIS SUBTITLE AND PAYMENTS TO EACH STATE'S ATTORNEY'S
24 OFFICE UNDER THE PROVISIONS OF THIS SUBTITLE FOR THE PREVIOUS FISCAL
25 YEAR TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
26 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2001.