

SENATE BILL 413

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2001 Regular Session
11r1736
CF 11r2717

By: **Senators Harris, Baker, Jimeno, and Lawlah**
Introduced and read first time: February 2, 2001
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 13, 2001

CHAPTER _____

1 AN ACT concerning

2 **Local Correctional Facilities - ~~Sentencing Judges~~ Inmate Transfers**

3 FOR the purpose of authorizing ~~a judge to sentence an individual to a local~~
4 ~~correctional facility if the judge imposing the sentence is in a jurisdiction that~~
5 ~~has an agreement with the jurisdiction in which the correctional facility is~~
6 ~~located that allows such sentencing~~ the governing body of a county or municipal
7 corporation that operates a local correctional facility to enter into certain
8 agreements with other counties or municipal corporations to authorize the
9 transfer of certain inmates between certain local correctional facilities under
10 certain circumstances; and generally relating to local correctional facilities.

11 BY ~~repealing and reenacting, with amendments, adding to~~
12 Article - Correctional Services
13 Section ~~9-105~~ 9-309
14 Annotated Code of Maryland
15 (1999 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 - Correctional Services**

19 ~~9-105.~~

20 ~~Notwithstanding any other law, a judge may sentence an individual to a local~~
21 ~~correctional facility if:~~

1 (1) the sentence to be then executed is for a period of not more than 18
2 months; and

3 (2) the judge imposing the sentence is in a jurisdiction that:

4 (I) is a party to the operation and maintenance of the local
5 correctional facility to which the individual is sentenced; OR

6 (II) HAS AN AGREEMENT ALLOWING THAT SENTENCING WITH THE
7 JURISDICTION IN WHICH THE LOCAL CORRECTIONAL FACILITY IS LOCATED.

8 9-309.

9 THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION THAT
10 OPERATES A LOCAL CORRECTIONAL FACILITY MAY ENTER INTO A SIGNED
11 MEMORANDUM OF UNDERSTANDING WITH ANOTHER COUNTY OR MUNICIPAL
12 CORPORATION THAT OPERATES A LOCAL CORRECTIONAL FACILITY TO AUTHORIZE
13 THE TRANSFER OF INMATES SENTENCED TO A LOCAL CORRECTIONAL FACILITY
14 UNDER § 9-105 OF THIS TITLE FROM ONE LOCAL CORRECTIONAL FACILITY TO
15 ANOTHER.

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