

# HOUSE BILL 942

E4, L2

9lr2743

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By: **Queen Anne's County Delegation**

Introduced and read first time: February 12, 2009

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: March 17, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Queen Anne's County – Local Detention Center – County's Authority to**  
3 **Continue Management**

4 FOR the purpose of providing that the County Commissioners of Queen Anne's  
5 County, may authorize, by resolution or law, the Warden of the County  
6 Detention Center to continue the management of the County Detention  
7 Center; and generally relating to the Queen Anne's County Detention Center.

8 BY repealing and reenacting, with amendments,  
9 Article – Correctional Services  
10 Section 11–201  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2008 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 (a) (1) The sheriff of a county shall keep safely each individual committed  
18 by lawful authority to the custody of the sheriff until the individual is discharged by  
19 due course of law.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

4           (ii) An individual committed to the custody of the sheriff under  
5 the authority of the United States shall be kept in the same manner and be subject to  
6 the same penalties as an individual committed to the custody of the sheriff under the  
7 authority of the State.

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

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

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

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

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

26          (2) The County Commissioners of Kent County, by resolution or law,  
27 may provide for the custody, safekeeping, and transportation of inmates by corrections  
28 officers or law enforcement officers other than the Sheriff.

29          (d) The County Council of Baltimore County, by resolution or law, may  
30 require that the Sheriff of Baltimore County operate and administer the Baltimore  
31 County Jail.

32          **(E) THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, BY**  
33 **RESOLUTION OR LAW, MAY AUTHORIZE THE WARDEN OF THE COUNTY**  
34 **DETENTION CENTER TO CONTINUE THE MANAGEMENT OF THE COUNTY**  
35 **DETENTION CENTER.**

36          SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 July 1, 2009.

