

CHAPTER 158

(House Bill 942)

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–201
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

Article – Correctional Services

11–201.

(a) (1) The sheriff of a county shall keep safely each individual committed by lawful authority to the custody of the sheriff until the individual is discharged by due course of law.

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

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

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

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

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who is working on the public highways or going to and from that work, until the inmate is discharged, released, or withdrawn from the local correctional facility by due course of law.

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

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

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

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

(E) THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, BY RESOLUTION OR LAW, MAY AUTHORIZE THE WARDEN OF THE COUNTY DETENTION CENTER TO CONTINUE THE MANAGEMENT OF THE COUNTY DETENTION CENTER.

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

Approved by the Governor, April 14, 2009.