

linquents", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

4.

(c).

(1) The Board of Correction is authorized in its discretion to transfer into the Patuxent Institution any person sentenced to or confined in the Maryland Penitentiary, the Maryland House of Correction, the Maryland State Reformatory for Males, or the Maryland State Reformatory for Women, WHO FALLS WITHIN ANY ONE OF THE CATEGORIES MENTIONED IN SECTION 6 (A) OF THIS ARTICLE; PROVIDED, HOWEVER, THAT THE PROVISIONS OF SECTIONS 5 TO 13, BOTH INCLUSIVE, OF THIS ARTICLE SHALL NOT APPLY TO PERSONS TRANSFERRED TO PATUXENT INSTITUTION BY THE BOARD OF CORRECTION FOR THE PURPOSE OF EMPLOYMENT AT SAID INSTITUTION AS PROVIDED IN SECTION 16 OF THIS ARTICLE, AS AMENDED BY THE ACTS OF 1955, CHAPTER 244. Such transfer may be made at any time the Board, in its discretion, determines that it would improve discipline or aid in the safekeeping, treatment, training, employment or rehabilitation of such person. The Board shall issue its warrant for such transfer to the Warden of the institution in which the said person is then confined, or to the Custodial Officer having him, or her, in custody, and such warrant shall be authority for the said transfer. The Chief of the Diagnostic Clinic [shall] ~~may~~ SHALL [accept for study] ~~cause an A examination~~ STUDY to be made of any such person so transferred into the institution, and the Clinic shall thereupon make such diagnosis of the condition of such person as to it shall seem necessary.

(2) If the Clinic on the basis of such [study] ~~examination~~ STUDY shall determine for any reason that the said person is not a proper person to be given custody or treatment in the institution, it shall return the said person to the penal institution in which he, or she, was last confined, or to the Custodial Officer having him, or her, in custody, and the Warden or other Custodial Officer shall accept the said person under the terms and conditions by which he, or she, was originally committed or transferred thereto. *Provided, however, that the said person shall be returned to the penal institution or to the Custodial Officer with full credit for such time as he has already spent in the institution for defective delinquents or elsewhere within the custody of the Department of Correction including such allowances (or disallowances) relating to good behavior and/or work performed as the Board of Correction may determine under the provisions of Section 776 of Article 27 of the Code (1951 Edition as amended from time to time).*

(3) *If on the basis of such examination the Clinic shall determine that said person is in its opinion a defective delinquent, it shall promptly file a report with the Court by which said person was sentenced setting forth the basis on which such determination was made and thereupon the court shall enter an order to show cause, within a time stated in said order, why said person should not be determined to be a defective delinquent, a copy of which report and order shall be served on said person on or before a date stated in said order; upon cause being shown, a hearing thereon shall be held pursuant*