

the institution are inadequate to provide treatment for such illness, the officer may recommend to the Department of Correction that the prisoner be temporarily removed to any place within the State where adequate treatment may be obtained. If the Department of Correction approves such recommendation, it may direct the temporary removal of such prisoner for a definite period of time, or from time to time, to a place where adequate treatment for the illness of the prisoner may be obtained, with such guards and under such supervision and safeguards *as may be necessary* to prevent the escape of the prisoner from custody, and subject to such rules and regulations with regard to guards, supervision, and terms of temporary release as the Department of Correction may prescribe, provided that any such order shall direct the return of such prisoner to the institution in which he was confined as soon as the state of his health will permit. Such order of removal shall be the authority of the officer in charge of the penal institution to remove the prisoner in accordance with its terms, and the prisoner shall be regarded during the time of such removal as remaining in custody of the penal institution to which he has been sentenced for the purpose of determining the time when he shall be released from such sentence, *and in determining such time he shall be entitled to diminution of the period of his confinement as provided in Section 700 (a) and 700 (b) of this article.* If any prisoner temporarily removed in accordance with the provisions of this section escapes, he shall be deemed guilty of the crime of escape and subject to the penalties prescribed by Section 139 of this article.

The expenses of the accommodation, maintenance, and medical care of the prisoner whose temporary removal has been authorized, in accordance with this section, shall be paid by the prisoner or his relatives or friends, or from any funds that are available for the hospital expenses of prisoners in the institution in which he is confined, or, if not otherwise available, shall be a charge upon the county, city, or town from which such inmate was committed, and collectible by the officer in charge of such institution, in accordance with the procedure prescribed by Section 44 of Article 59.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1964.

Approved April 7, 1964.

CHAPTER 124

(House Bill 362)

AN ACT to add new Section 40 to Article 53 of the Annotated Code of Maryland (1957 Edition), title "Landlord and Tenant," subtitle "Distress for Rent," to follow immediately after Section 39 thereof and to be under the new subtitle "Public Policy," providing that an "exculpatory clause" in an agreement between a landlord and tenant shall be void as against public policy.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 40 be and it is hereby added to Article 53 of the