

CHAPTER 628

(Senate Bill 362)

AN ACT to add new Section 616A to Article 27 of the Annotated Code of Maryland (1957 Edition and 1964 Supplement), title "Crimes and Punishments", to be under the new sub-title "Detainers", and the new sub-heading "Intrastate Detainers", to follow immediately after Section 616 thereof, to establish procedures for the prompt trial of certain untried indictments, informations and complaints pending in the City of Baltimore or any county of this State which are the basis for detainers filed against certain prisoners incarcerated in correctional institutions of this State upon the request of such prisoners; to provide for the effect of such requests and of failure to hold trials of such untried indictments, informations and complaints within specified periods; and relating generally to detainers filed by officers of this State against persons incarcerated in correctional institutions or facilities under the jurisdiction of the Department of Correction.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 616A be and it is hereby added to Article 27 of the Annotated Code of Maryland (1957 Edition and 1964 Supplement), title "Crimes and Punishments", to be under the new sub-title "Detainers", and the new sub-heading "Intrastate Detainers", and to follow immediately after Section 616 thereof, and to read as follows:

*DETAINERS**Intrastate Detainers**616A.*

(a) *Whenever the Department of Correction receives a detainer against any prisoner serving a sentence in any correctional institution under the jurisdiction of the Department, any such prisoner shall be brought to trial within 120 days after the request of the prisoner for final disposition of the indictment, information, or complaint has been delivered to the state's attorney of the City of Baltimore or of the county in which the indictment, information, or complaint is pending and to the appropriate court; provided that for good cause shown in open court, the prisoner or his counsel being present, the court having jurisdiction of the matter may grant any necessary or reasonable continuance. The request of the prisoner shall be filed within 30 days of the prisoner's notification of any untried indictment, information, or complaint and shall be accompanied by a statement from the warden or superintendent having custody, setting forth the term of the commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the date of parole eligibility of the prisoner, and any decisions of the Board of Parole and Probation relating to the prisoner. The written notice and statement provided herein shall be delivered by certified mail.*

(b) *The warden or superintendent having custody of the prisoner shall inform the prisoner within 15 days in writing of the source and contents of any untried indictment, information, or complaint against said prisoner concerning which the warden or superintendent has*