

SECTION 2. AND BE IT FURTHUR ENACTED, That this Act shall take effect July 1, 1973. IT SHALL REMAIN EFFECTIVE UNTIL DECEMBER 1, 1973, WHEN WITH NO FURTHUR ACTION REQUIRED BY THE GENERAL ASSEMBLY, THIS ACT SHALL BE ABROGATED AND OF NO FURTHUR FORCE ANDEFFECT.

Approved May 24, 1973.

CHAPTER 737

(Senate Bill 1064)

AN ACT to repeal and re-enact, with amendments, Sections 70-1(q), 70-12(e) and (f), and 70-19 of Article 26 of the Annotated Code of Maryland (1971 Supplement and 1972 Interim Supplement), title "Courts," subtitle "Juvenile Causes"; to add new Section 70-11(d) to Article 26 of the Code, same title and subtitle, to follow immediately after Section 70-11(c) thereof; to repeal Section 70-12(d) of Article 26 of the Code, same title and subtitle, and to repeal and re-enact, with amendments, Section 76(b) of Article 26 of the Code, same title, subtitle "Juvenile Causes in Montgomery County," relating generally to children alleged or found to be delinquent, in need of supervision, dependent, neglected, or mentally handicapped and the detention thereof.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 70-1(q), 70-12(e) and (f), and 70-19 of Article 26 of the Annotated Code of Maryland (1971 Supplement and 1972 Interim Supplement), title "Courts," subtitle "Juvenile Causes," be and they are hereby repealed and re-enacted, with amendments; to add new Section 70-11(d) to Article 26, same title and subtitle, to follow immediately after Section 70-11(c); and that Section 76(b) of Article 26 of the Code, same title, subtitle "Juvenile Causes in Montgomery County," be and it is hereby repealed and re-enacted, with amendments, and all to read as follows:

70-1.

(q) "Aftercare supervision" is a status created by a court order in any proceeding under this subtitle whereby a minor who has previously been adjudicated a delinquent child [or a child in need of supervision] and committed to an institution is released from the commitment under the supervision of an agency designated by the court under conditions the judge or the agency deems proper.

70-11.

(D) DETENTION IS PERMITTED ONLY WHEN A PERSON IS ALLEGED OR ADJUDICATED TO BE A DELINQUENT CHILD.

70-12.

(d) A child alleged to be in need of supervision shall not be detained in a jail or other facility intended or used for the detention of adults charged with criminal offense or for children adjudicated or alleged to be delinquent unless (1) adequate facilities have not been established, and (2) it appears to the satisfaction of the court or other person designated by the court that public safety and protection reasonably require such detention. No child shall ever be confined in a jail or other