

AN ACT concerning

Prisoner Transfers - Less Secure Correctional Facilities

FOR the purpose of prohibiting the transfer of maximum or medium security prisoners to minimum security correctional facilities or local correctional facilities unless the Classification Office of the Division of Correction participates, evaluates, reviews, and approves each transfer case; and requiring the Commissioner of Correction to promulgate rules and regulations necessary to implement this Act.

BY adding to

Article 27 - Crimes and Punishments
Section 690A
Annotated Code of Maryland
(1971 Replacement Volume and 1973 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 690A be and it is hereby added to Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1971 Replacement Volume and 1973 Supplement) to read as follows:

Article 27 - Crimes and Punishments
690A.

(A) DESPITE ANY PROVISION OF LAW TO THE CONTRARY, NO PRISONER CONFINED TO A MAXIMUM OR MEDIUM INSTITUTION OR FACILITY WITHIN THE JURISDICTION OF THE DIVISION OF CORRECTION MAY BE TRANSFERRED TO A MINIMUM SECURITY INSTITUTION OR FACILITY WITHIN THE JURISDICTION OF THE DIVISION OF CORRECTION OR TO A LOCAL CORRECTIONAL FACILITY OR DETENTION CENTER WITHOUT THE PARTICIPATION, EVALUATION, REVIEW, AND FINAL APPROVAL, IN EACH CASE, OF THE CLASSIFICATION OFFICE OF THE DIVISION OF CORRECTION.

(B) THE COMMISSIONER OF CORRECTION SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

(C) THIS SECTION DOES NOT APPLY TO A TRANSFER OF A PRISONER PURSUANT TO A COURT ORDER AND IN CONNECTION WITH A PENDING JUDICIAL PROCEEDING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1974.