

Section 3-823(c)
Annotated Code of Maryland
(1974 Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 3-823(c) of Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1974 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article - Courts and Judicial Proceedings

3-823.

(c) A child alleged to be delinquent may not be detained in a facility to which children who have been adjudicated delinquent are committed, or in a jail or other facility for the detention of adults, 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 detention. A child may not be confined in a jail or other facility for the detention of adults, unless in a room or ward entirely separated from adults.

(3) After January 1, [1975] 1978, a child alleged to be delinquent may not be detained in a jail or other facility for the detention of adults or in a facility to which delinquents are committed.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 22, 1975.