

(d) (1) If, after performing an audit and unannounced inspection under subsection (c) of this section and holding a hearing on the issue, the Commission determines that a correctional facility has not complied with the audit findings, the Commission shall:

(i) petition a circuit court with venue over the proceeding for a court order requiring the correctional facility to comply with the audit findings; or

(ii) issue an order to cease operation of the correctional facility or any of its correctional elements, procedures, or functions.

(2) The Commission shall provide to a correctional facility reasonable notice of a hearing under paragraph (1) of this subsection.

(3) The Commission may subpoena witnesses and hold public hearings in accordance with Title 10, Subtitle 2 of the State Government Article before making a final decision on whether to seek a court order or close a correctional facility or any of its correctional elements, procedures, or functions.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved April 26, 2005.

CHAPTER 203

(House Bill 315)

AN ACT concerning

Public Safety - Mutual Aid Agreements - Authority to Enforce Laws

FOR the purpose of establishing that certain officers and other individuals acting under a certain mutual aid agreement may enforce the laws of the State to the same extent as certain law enforcement officers; and generally relating to the authority to enforce laws under mutual aid agreements.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 2-105

Annotated Code of Maryland

(2001 Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Procedure

2-105.

(a) In this section, "governing body" means: