

4-1404.

(a) There is a Commissioner of Pretrial Detention and Services, who is appointed by the Secretary, with the approval of the Governor.

(b) The Commissioner serves at the pleasure of the Secretary.

(c) The Commissioner:

(1) With regard to the Division, shall have the same authority as is vested by this Code, including Article 27, Sections 667 through 726, in the Commissioner of Correction over the Division of Correction;

(2) Shall safely keep any person committed or transferred to the custody of the Commissioner until the person is discharged in accordance with law;

(3) Is in charge of the Division, subject to the authority of the Secretary;

(4) Is the appointing authority for all employees of the Division;

(5) May enter agreements with the Commissioner of Correction for the housing of any persons held in the Baltimore City Detention Center;

(6) May enter agreements with governmental entities for the housing of any person held in the Baltimore City Detention Center;

(7) May enter agreements for the housing of any person committed to federal or local governmental entities in the Baltimore City Detention Center;

(8) May enter other agreements necessary to carry out the purposes of this subtitle; and

(9) ~~(H)~~ Shall establish a home detention program under such terms as the Secretary shall provide. ~~【The】 SUBJECT TO SUBPARAGRAPH (H) OF THIS ITEM SUBSECTION (D) OF THIS SECTION,~~ THE terms and conditions of the Home Detention Program shall be established by regulation, notwithstanding any other provision of law.

~~(H) (D) THE AUTHORITY OF A JUDGE OF THE CIRCUIT OR DISTRICT COURT TO DETERMINE THE CONDITIONS OF PRETRIAL RELEASE OR TO FIND THAT A DEFENDANT AWAITING TRIAL MAY NOT BE PLACED ON A HOME DETENTION PROGRAM MAY NOT BE LIMITED OR SUPERSEDED BY:~~

~~(1) ANY REGULATION OF THE DIVISION OR DEPARTMENT; OR~~

~~(2) THE DIVISION OR THE COMMISSIONER.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 1994.

Approved May 26, 1994.