

returned escapee who wishes to challenge the reasonableness of the charges. The Commissioner, sheriff, or director of the appropriate facility may establish appropriate rules, regulations, and procedures for charging an escapee with expenses, collecting those expenses, and for hearings to challenge those expenses.

(c) A person who aids in the escape of the individual under this section is guilty of a felony and on conviction by the circuit court for the county in which the escape takes place is subject to imprisonment not exceeding 10 years.]

[Escapes From] ESCAPE AND CONTRABAND IN PLACES OF Confinement

136.

(A) IN THIS SUBHEADING THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ESCAPE" RETAINS ITS JUDICIALLY DETERMINED MEANING.

(C) "PLACE OF CONFINEMENT" MEANS:

(1) A CORRECTIONAL FACILITY AS DEFINED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE;

(2) A PLACE IDENTIFIED IN A HOME DETENTION ORDER OR AGREEMENT;

(3) A FACILITY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

~~(4) A DETENTION AND YOUTH CENTER FOR JUVENILES OPERATED BY OR UNDER CONTRACT WITH THE DEPARTMENT OF JUVENILE JUSTICE; OR~~

(4) A DETENTION CENTER FOR JUVENILES OR A FACILITY FOR JUVENILES LISTED IN ARTICLE 83C, § 2-117(A)(2) OF THE CODE; OR

(5) ANY OTHER FACILITY IN WHICH A PERSON IS CONFINED UNDER COLOR OF LAW.

COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): The definition of escape is intended to include the case law interpreting former Art. 27, § 139. See e.g., *Stewart v. State*, 275 Md. 258, 340 A.2d 290 (1975); *Beasley v. State*, 17 Md. App. 7, 299 A.2d 482 (1973); *Best v. Warden*, 235 Md. 633, 201 A.2d 490 (1964). It is not intended to refer to the common law definition of escape.

137.

(A) A PERSON MAY NOT KNOWINGLY ESCAPE FROM A PLACE OF CONFINEMENT.

(B) (1) THIS SUBSECTION APPLIES TO A PERSON:

(I) TEMPORARILY RELEASED FROM A PLACE OF CONFINEMENT;
OR