

"warrant of execution". Correspondingly, in subsection (f)(2) of this section, the former reference to a warrant of execution "theretofore issued" is deleted.

Defined terms: "Commissioner" § 3-101

"Inmate" § 1-101

3-903. CUSTODY AFTER SENTENCE.

(A) "OFFICIAL" DEFINED.

IN THIS SECTION, "OFFICIAL" MEANS:

- (1) THE COMMISSIONER; OR
- (2) THE SHERIFF OF THE COUNTY IN WHICH AN INMATE WAS INDICTED.

(B) NOTICE OF REPRIEVE OR STAY.

(1) IF THE GOVERNOR GRANTS A REPRIEVE TO AN INMATE UNDER SENTENCE OF DEATH OR A COURT IMPOSES A STAY ON THE EXECUTION OF A SENTENCE OF DEATH, THE GOVERNOR OR COURT SHALL SERVE NOTICE OF THE REPRIEVE OR STAY ON:

- (I) THE INMATE; AND
- (II) THE OFFICIAL WHO HAS CUSTODY OF THE INMATE.

(2) THE OFFICIAL WHO HAS CUSTODY OF THE INMATE SHALL OBEY THE REPRIEVE OR STAY:

(C) RETENTION IN CUSTODY.

AN INMATE WHO IS GRANTED A REPRIEVE OR STAY SHALL REMAIN IN THE CUSTODY OF THE OFFICIAL WHO RECEIVES NOTICE UNDER SUBSECTION (B)(1)(II) OF THIS SECTION.

(D) SUBSEQUENT PROCEEDINGS.

(1) IN ANY SUBSEQUENT JUDICIAL PROCEEDING, THE COURT SHALL SERVE ANY COURT ORDER REGARDING AN INMATE ON:

- (I) THE INMATE; AND
- (II) THE OFFICIAL WHO HAS CUSTODY OF THE INMATE.

(2) IF A COURT RESENTENCES AN INMATE TO DEATH, THE PROVISIONS OF THIS SUBTITLE SHALL APPLY TO THE NEW SENTENCE IN THE SAME MANNER AS THE ORIGINAL SENTENCE.

(3) (I) IF A NEW TRIAL IS GRANTED TO AN INMATE WHO IS IN THE CUSTODY OF THE COMMISSIONER, THE INMATE SHALL BE TRANSPORTED BACK TO THE PLACE OF TRIAL UNDER GUARD AS THE COMMISSIONER DIRECTS.