

official who has "custody of" an inmate for accuracy. Inmates of a correctional facility are sometimes held in the custody of someone other than the managing official of the correctional facility but are under the immediate supervision of the managing official. See generally § 9-103 of this article (which requires a judge who sentences an inmate to the jurisdiction of the Division of Correction to place the inmate in the custody of the Commissioner of Correction).

In subsection (d)(2) of this section, the former reference to the duty to file certain documents "upon notification by the prisoner" is deleted as unnecessary in light of the more specific reference to the duty to file the documents "[w]ithin 30 days after receipt of an inmate's request under paragraph (1) of this subsection".

In subsection (e)(1) of this section, the reference to the court's jurisdiction "over the untried indictment, information, warrant, or complaint" is added to state expressly that which was only implied in the former law.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsections (c)(1) and (e)(1) of this section are inconsistent with subsections (c)(3) and (e)(3) of this section. Subsections (c)(1) and (e)(1) provide that a court "no longer has jurisdiction over the untried indictment, information, warrant, or complaint" if specified events do not occur within specified periods. However, subsections (c)(3) and (e)(3) require the court to "dismiss the untried indictment, information, warrant, or complaint" under the same circumstances. These provisions are in conflict because a court cannot dismiss an indictment, information, warrant, or complaint unless the court has jurisdiction over the matter. The General Assembly may wish to repeal subsections (c)(1) and (e)(1) as surplusage.

In subsection (f)(1) of this section, the former references to "city" are deleted as unnecessary because Baltimore City is included in the defined term "county". See § 1-101 of this article for the definition of "county".

Also in subsection (f)(1) of this section, the reference to a "warrant" is added for consistency with terminology throughout this subtitle.

In subsection (f)(2) of this section, the defined term "correctional facility" is substituted for the former reference to an "institution" for consistency with terminology throughout this article. See General Revisor's Note to this article.

Defined terms: "Correctional facility" § 1-101

"County" § 1-101

"Division of Correction" § 1-101

"Inmate" § 1-101

"Managing official" § 1-101