

sentence to a "term of" Non-Division custody is substituted for the former reference to a sentence "to be served in" Non-Division custody, for consistency within this paragraph, which includes a reference to "term of" Division custody.

In subsections (b)(1) and (2) and (d) of this section, the former references to an inmate's release "whether" and "regardless of whether the release is" due to expiration of a sentence, parole, or the application of diminution credits are deleted as surplusage.

In subsection (c) of this section, the references to a term of "confinement" are added to state expressly that which was only implied in the former references to a "term" and for consistency throughout this article. See General Revisor's Note to this article.

Defined terms: "Correctional facility" § 1-101

"Division of Correction" § 1-101

"Inmate" § 1-101

"Local correctional facility" § 1-101

SUBTITLE 3. TRANSFERS.

9-301. TRANSFER OF DEFENDANT WHEN CASE IS REMOVED TO ANOTHER COUNTY.

IF A CRIMINAL CASE IS REMOVED FROM ONE COUNTY TO ANOTHER AND THE DEFENDANT IS DETAINED IN A CORRECTIONAL FACILITY, THE DEFENDANT MAY NOT BE TRANSFERRED TO THE COUNTY TO WHICH THE CASE WAS REMOVED UNTIL THE PRESENCE OF THE DEFENDANT IS REQUIRED IN THE COURT TO WHICH THE CASE WAS REMOVED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 619.

The reference to the time when the "presence of the defendant is required in" the court to which the case was removed is substituted for the former archaic reference to the "first day of the session of" the court to which the case was removed to state expressly that which was only implied in the former law.

Defined terms: "Correctional facility" § 1-101

"County" § 1-101

9-302. CASES THAT HAVE BEEN REMOVED TO ANOTHER COUNTY.

(A) SENTENCE.

IF AN INDIVIDUAL WHOSE TRIAL HAS BEEN REMOVED IS CONVICTED OF A CRIME PUNISHABLE BY IMPRISONMENT IN A LOCAL CORRECTIONAL FACILITY, ANY SENTENCE OF IMPRISONMENT IMPOSED BY A COURT SHALL BE TO A LOCAL CORRECTIONAL FACILITY OF THE COUNTY FROM WHICH THE CASE WAS REMOVED.

(B) TRANSFER OF INDIVIDUALS.