

Defined terms: "Commissioner of Correction" § 1-101

"County" § 1-101

"Inmate" § 1-101

"Local correctional facility" § 1-101

9-305. TRANSFER OF MAXIMUM OR MEDIUM SECURITY INMATES TO MINIMUM SECURITY CORRECTIONAL FACILITY.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO THE TRANSFER OF AN INMATE THAT IS:

- (1) IN ACCORDANCE WITH A COURT ORDER; AND
- (2) IN CONNECTION WITH A PENDING JUDICIAL PROCEEDING.

(B) IN GENERAL.

NOTWITHSTANDING ANY OTHER LAW, AN INMATE OF A MAXIMUM OR MEDIUM SECURITY CORRECTIONAL FACILITY IN THE DIVISION OF CORRECTION MAY NOT BE TRANSFERRED TO A MINIMUM SECURITY CORRECTIONAL FACILITY IN THE DIVISION OF CORRECTION OR A LOCAL CORRECTIONAL FACILITY UNLESS THE CASE MANAGEMENT UNIT OF THE DIVISION OF CORRECTION PARTICIPATES IN, EVALUATES, REVIEWS, AND PROVIDES FINAL APPROVAL FOR THE TRANSFER.

(C) REGULATIONS.

THE COMMISSIONER OF CORRECTION SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 690A.

In subsection (b) of this section, the reference to "any other law" is substituted for the former reference to "any provision of law" to state expressly that which was only implied in the former law.

Also in subsection (b) of this section, the references to correctional facilities "in" the Division of Correction are substituted for the former references to facilities "within the jurisdiction of" the Division for consistency throughout this article. See General Revisor's Note to this article.

Also in subsection (b) of this section, the reference to the "case management unit" is substituted for the former reference to the "classification office" to reflect current nomenclature within the Division.

In subsection (c) of this section, the requirement that the Commissioner "adopt regulations" is substituted for the former requirement that the Commissioner "promulgate rules and regulations" for consistency throughout this article. See General Revisor's Note to this article.

Also in subsection (c) of this section, the requirement that regulations be adopted to "carry out" the provisions of this section is substituted for the