

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 705(a)(3).

This section also reflects the provisions of Ch. 59, § 3 of the Acts of 1991, which transferred the Baltimore City Detention Center to the State.

11-102. ESTABLISHMENT AND MAINTENANCE; AGREEMENTS.

(A) ESTABLISHMENT AND MAINTENANCE.

THE GOVERNING BODY OF ONE OR MORE COUNTIES MAY ESTABLISH AND MAINTAIN A LOCAL CORRECTIONAL FACILITY.

(B) AGREEMENTS.

(1) THE GOVERNING BODIES OF TWO OR MORE COUNTIES MAY ENTER INTO A WRITTEN AGREEMENT WITH EACH OTHER AS TO ALLOCATION OF RESPONSIBILITY, CONSTRUCTION, OPERATION, MAINTENANCE, AND APPOINTMENT OF PERSONNEL IN CONNECTION WITH A LOCAL CORRECTIONAL FACILITY.

(2) THE STATE MAY BE A PARTY TO AN AGREEMENT UNDER THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 705(b).

In subsection (b)(1) of this section, the reference to the "governing bodies of two or more counties" is substituted for the former reference to the "governing body of one or more counties" for clarity.

In subsection (b)(2) of this section, the former phrase "but need not be" is deleted as unnecessary in light of the reference to "may".

Defined terms: "County" § 1-101

"Local correctional facility" § 1-101

11-103. RESPONSIBILITY OF MANAGING OFFICIAL; POWERS AND DUTIES OF SHERIFF.

(A) RESPONSIBILITY OF MANAGING OFFICIAL.

THE MANAGING OFFICIAL OF A LOCAL CORRECTIONAL FACILITY IS RESPONSIBLE FOR THE SAFEKEEPING AND CARE OF EACH INMATE OR OTHER INDIVIDUAL DETAINED IN OR SENTENCED TO THE LOCAL CORRECTIONAL FACILITY FROM THE TIME THE INMATE OR INDIVIDUAL IS LAWFULLY DETAINED IN OR COMMITTED TO THE LOCAL CORRECTIONAL FACILITY UNTIL DISCHARGED, RELEASED, OR WITHDRAWN UNDER A COURT ORDER OR OTHER LAWFUL AUTHORITY.

(B) POWERS AND DUTIES OF SHERIFF.

EXCEPT WHEN AN INMATE OR OTHER INDIVIDUAL IS LAWFULLY ASSIGNED TO A LOCAL CORRECTIONAL FACILITY OPERATED BY MORE THAN ONE COUNTY, THIS SECTION DOES NOT AFFECT THE POWERS AND DUTIES OF THE SHERIFF OF A COUNTY WITH RESPECT TO THE SAFEKEEPING AND CUSTODY OF AN INMATE OR OTHER INDIVIDUAL.