

(2) This section does not affect the authority of the correctional facilities in the Division to seize and dispose of personal property that is contraband per se in accordance with applicable law.]

SUBTITLE 8. MISCELLANEOUS.

10-801.

(A) IN THIS SECTION:

(1) "CONTRABAND" MEANS ANY ITEM, MATERIAL, SUBSTANCE, OR OTHER THING OF VALUE THAT:

(I) IS NOT AUTHORIZED FOR INMATE POSSESSION BY THE COMMISSIONER OF CORRECTION, THE DIRECTOR OF PATUXENT INSTITUTION, THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES, OR THE WARDEN OF A STATE CORRECTIONAL FACILITY; OR

(II) IS BROUGHT INTO A STATE CORRECTIONAL FACILITY IN A MANNER PROHIBITED BY THE COMMISSIONER OF CORRECTION, THE DIRECTOR OF PATUXENT INSTITUTION, THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES, OR THE WARDEN OF A STATE CORRECTIONAL FACILITY.

(2) "CONTRABAND" INCLUDES ANY OTHER PROPERTY DEFINED IN REGULATIONS BY THE COMMISSIONER OF CORRECTION, THE DIRECTOR OF PATUXENT INSTITUTION, OR THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES.

~~(A)~~ (B) (1) A STATE CORRECTIONAL FACILITY SHALL HOLD FOR 30 DAYS ANY PERSONAL PROPERTY OF AN INMATE THAT COMES INTO THE POSSESSION OF ANY OFFICIAL OR EMPLOYEE OF THE STATE CORRECTIONAL FACILITY:

(I) AS THE RESULT OF AN ESCAPE BY THE INMATE; OR

(II) BECAUSE THE PERSONAL PROPERTY HAS BEEN UNCLAIMED BY AN INMATE WHO HAS THE RIGHT TO ITS POSSESSION.

(2) DURING THE 30-DAY HOLDING PERIOD, THE STATE CORRECTIONAL FACILITY SHALL POST NOTICE IN A CONSPICUOUS LOCATION IN THE STATE CORRECTIONAL FACILITY.

(3) THE STATE CORRECTIONAL FACILITY SHALL DELIVER PERSONAL PROPERTY BEING HELD BY THE STATE CORRECTIONAL FACILITY TO AN INMATE IF:

(I) THE PROPERTY IS CLAIMED WITHIN THE 30-DAY HOLDING PERIOD;

(II) THE INMATE SATISFACTORILY ESTABLISHES A RIGHT TO POSSESSION OF THE PROPERTY; AND

(III) THE INMATE GIVES A PROPER RECEIPT FOR THE PROPERTY.