

# SENATE BILL 263

E4, L1  
SB 772/10 – JPR

11r1388  
CF HB 149

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By: **Senators Brinkley and Young**  
Introduced and read first time: January 31, 2011  
Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Adult Detention Center – Fees**

3 FOR the purpose of altering certain medical and dental fees for individuals  
4 incarcerated in the Frederick County Adult Detention Center; establishing a  
5 processing fee, incarceration fee, and general educational development  
6 administrative fee for certain individuals in the Center; and generally relating  
7 to fees charged to individuals in the Frederick County Adult Detention Center.

8 BY repealing and reenacting, with amendments,  
9 Article – Correctional Services  
10 Section 11–203(c)  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, without amendments,  
14 Article – Correctional Services  
15 Section 11–712(a)  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2010 Supplement)

18 BY adding to  
19 Article – Correctional Services  
20 Section 11–712(e) and (f)  
21 Annotated Code of Maryland  
22 (2008 Replacement Volume and 2010 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article – Correctional Services**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 11-203.

2 (c) (1) **[In] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**  
3 **SUBSECTION, IN** addition to obtaining any reimbursement authorized under  
4 subsection (b) of this section and subject to paragraph (4) of this subsection, the  
5 governing body of each county shall establish a reasonable fee, not to exceed \$4, for  
6 each visit by an inmate in a local correctional facility to an institutional medical unit  
7 or noninstitutional physician, dentist, or optometrist.

8 (2) The per visit fee shall be deducted from an inmate's spending  
9 financial account, reserve financial account, or similar account held by the managing  
10 official on behalf of the inmate.

11 (3) The fees collected under this subsection shall be deposited in the  
12 general fund of the county.

13 (4) This subsection does not apply to a visit by an inmate to a medical  
14 unit or a physician, dentist, or optometrist if the visit is:

15 (i) required as a part of the intake process;

16 (ii) required for an initial physical examination;

17 (iii) due to a referral by a nurse or physician's assistant;

18 (iv) provided during a follow-up visit that is initiated by a  
19 medical professional from the local correctional facility;

20 (v) initiated by a medical or mental health staff member of the  
21 local correctional facility; or

22 (vi) required for necessary treatment.

23 **(5) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, IN**  
24 **FREDERICK COUNTY, THE AMOUNT OF THE REASONABLE FEE TO BE DEDUCTED**  
25 **FROM AN INMATE'S SPENDING FINANCIAL ACCOUNT, RESERVE FINANCIAL**  
26 **ACCOUNT, OR SIMILAR ACCOUNT HELD BY THE MANAGING OFFICIAL ON BEHALF**  
27 **OF THE INMATE MAY NOT EXCEED:**

28 **(I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS PARAGRAPH,**  
29 **\$8 FOR EACH VISIT TO AN INSTITUTIONAL MEDICAL UNIT; AND**

30 **(II) \$35 FOR EACH VISIT TO AN INSTITUTIONAL DENTIST.**

31 11-712.

32 (a) This section applies only in Frederick County.

1           **(E) THE SHERIFF MAY CHARGE A REASONABLE FEE:**

2                   **(1) FOR EACH INDIVIDUAL PROCESSED INTO THE DETENTION**  
3 **CENTER, NOT TO EXCEED \$10; AND**

4                   **(2) FOR EACH INCARCERATED INDIVIDUAL, NOT TO EXCEED \$10**  
5 **FOR EACH DAY OF INCARCERATION.**

6           **(F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
7 **SUBSECTION, THE SHERIFF MAY CHARGE A REASONABLE ADMINISTRATIVE FEE,**  
8 **NOT TO EXCEED \$25, FOR EACH INDIVIDUAL PARTICIPATING IN A GENERAL**  
9 **EDUCATIONAL DEVELOPMENT PROGRAM AT THE DETENTION CENTER.**

10                   **(2) A JUVENILE MAY NOT BE CHARGED AN ADMINISTRATIVE FEE**  
11 **FOR PARTICIPATION IN A GENERAL EDUCATIONAL DEVELOPMENT PROGRAM.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2011.