

SENATE BILL 138

D2, E2, E4

0lr1666

By: **Senators Cassilly, Gallion, and Jennings**

Introduced and read first time: January 10, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Service of Process – Detention Center Employees**

3 FOR the purpose of expanding the authority of a certain individual who is designated to
4 serve criminal process by the administrator of the local detention center in Harford
5 County to serve process within the Circuit Court for Harford County and the District
6 Court of Maryland for Harford County; and generally relating to the service of
7 criminal process by employees of local detention centers.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 6–310
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2019 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 6–310.

17 (a) In this section, “administrator” includes the sheriff, director, superintendent,
18 warden, or other officer in charge of a local detention center.

19 (b) The administrator may designate employees of the local detention center to
20 serve a criminal summons, warrant, or charging document.

21 (c) **(1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
22 **SUBSECTION, THE** authority of an individual designated to serve criminal process under
23 this section shall be limited to the service of process within the local detention center.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE AUTHORITY OF AN INDIVIDUAL DESIGNATED TO SERVE**
2 **CRIMINAL PROCESS UNDER THIS SECTION BY THE ADMINISTRATOR OF THE LOCAL**
3 **DETENTION CENTER IN HARFORD COUNTY SHALL BE LIMITED TO THE SERVICE OF**
4 **PROCESS WITHIN:**

5 **(I) THE LOCAL DETENTION CENTER;**

6 **(II) THE CIRCUIT COURT FOR HARFORD COUNTY; OR**

7 **(III) THE DISTRICT COURT OF MARYLAND FOR HARFORD**
8 **COUNTY.**

9 (d) The administrator shall ensure that an employee designated to serve criminal
10 process has received adequate training.

11 (e) This section may not be construed to limit the authority of any employee of
12 the local detention center to serve civil process as provided in the Maryland Rules.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2020.