

In subsections (a) and (c) of this section, gender neutral terms are substituted for the former pronouns "he" and "his", respectively, because SG § 2-1238 requires the use of words that are "neutral as to gender".

The only other changes are in style.

Defined terms: "Agreement" § 8-401

"Appropriate court" § 8-401

"Receiving state" § 8-404

"Sending state" § 8-404

"State" § 8-404

8-407. SAME — TEMPORARY CUSTODY FOR PROSECUTION.

ARTICLE V

(A) DUTIES OF SENDING STATE.

IN RESPONSE TO A REQUEST MADE UNDER § 8-405 OR § 8-406 OF THIS SUBTITLE (ARTICLE III OR IV OF THE AGREEMENT), THE APPROPRIATE AUTHORITY IN A SENDING STATE SHALL OFFER TO DELIVER TEMPORARY CUSTODY OF THE PRISONER TO THE APPROPRIATE AUTHORITY IN THE STATE WHERE THE INDICTMENT, INFORMATION, OR COMPLAINT IS PENDING AGAINST THE PRISONER IN ORDER THAT SPEEDY AND EFFICIENT PROSECUTION MAY BE HAD. IF THE REQUEST FOR FINAL DISPOSITION IS MADE BY THE PRISONER, THE OFFER OF TEMPORARY CUSTODY SHALL ACCOMPANY THE WRITTEN NOTICE REQUIRED UNDER § 8-405 OF THIS SUBTITLE (ARTICLE III OF THE AGREEMENT). IN THE CASE OF A FEDERAL PRISONER, THE APPROPRIATE AUTHORITY IN THE RECEIVING STATE SHALL BE ENTITLED TO TEMPORARY CUSTODY AS PROVIDED BY THIS AGREEMENT OR TO THE PRISONER'S PRESENCE IN FEDERAL CUSTODY AT THE PLACE FOR TRIAL, WHICHEVER CUSTODIAL ARRANGEMENT MAY BE APPROVED BY THE CUSTODIAN.

(B) DUTIES OF RECEIVING STATE.

THE OFFICER OR OTHER REPRESENTATIVE OF A STATE ACCEPTING AN OFFER OF TEMPORARY CUSTODY SHALL PRESENT THE FOLLOWING UPON DEMAND:

(1) PROPER IDENTIFICATION AND EVIDENCE OF THE OFFICER'S AUTHORITY TO ACT FOR THE STATE INTO WHOSE TEMPORARY CUSTODY THE PRISONER IS TO BE GIVEN; AND

(2) A DULY CERTIFIED COPY OF THE INDICTMENT, INFORMATION, OR COMPLAINT ON THE BASIS OF WHICH THE DETAINEE HAS BEEN LODGED AND ON THE BASIS OF WHICH THE REQUEST FOR TEMPORARY CUSTODY OF THE PRISONER HAS BEEN MADE.

(C) DISMISSAL OF INDICTMENT.

IF THE APPROPRIATE AUTHORITY SHALL REFUSE OR FAIL TO ACCEPT TEMPORARY CUSTODY OF THE PERSON, OR IN THE EVENT THAT AN ACTION ON THE INDICTMENT, INFORMATION, OR COMPLAINT ON THE BASIS OF WHICH THE DETAINEE HAS BEEN LODGED IS NOT BROUGHT TO TRIAL WITHIN THE PERIOD