

mean sentencing or confinement to the jurisdiction of the [Department] DIVISION rather than to any particular institution or facility of the [Department] DIVISION.

(e) The Commissioner of [Correctional Services] CORRECTION may transfer minimum security inmates to county or Baltimore City detention facilities for participation in community-oriented correctional programs, by mutual agreement with Baltimore City or the counties involved.

(f) The Commissioner of [Correctional Services] CORRECTION may accept transfer of inmates or pretrial defendants from a county or Baltimore City detention facility if such person to be transferred requires specialized treatment of behavior or medical problems, or requires maximum security detention, and the county or Baltimore City facility is not equipped to properly provide the necessary treatment or detention.

(G) (1) WHEN FORMULATING AN AGREEMENT FOR REIMBURSEMENT OF A COUNTY OR BALTIMORE CITY FOR THE CONFINEMENT OF PRISONERS IN LOCAL FACILITIES WHO HAVE BEEN SENTENCED TO THE JURISDICTION OF THE DIVISION OF CORRECTION, THE DIVISION SHALL ~~CONSIDER~~ INCLUDE THE TOTAL ANNUAL OPERATING BUDGET OF THAT LOCAL FACILITY DIVIDED BY THE TOTAL PROJECTED ACTUAL PRISONER DAYS PER--YEAR FOR THE PREVIOUS FISCAL YEAR AND USED TO COMPUTE THE TOTAL ANNUAL OPERATING BUDGET FOR THE PREVIOUS FISCAL YEAR OF THE FACILITY.

(2) THE TOTAL ANNUAL OPERATING BUDGET INCLUDES ALL COSTS DIRECTLY ASSOCIATED WITH OR DIRECTLY ATTRIBUTABLE TO THE OPERATION OF THE FACILITY.

(3) THE TOTAL ANNUAL OPERATING BUDGET DOES NOT INCLUDE:

(I) OVERHEAD COSTS ALLOCATED FROM OTHER AGENCIES OR INSTITUTIONS;

(II) DEBT SERVICE RELATED TO THE FACILITY WHICH WAS NOT INITIATED WHOLLY OR IN PART FOR THE SPECIFIC PURPOSE OF ACCOMMODATING STATE PRISONERS; AND

(III) INCOME TO THE INSTITUTION FROM STATE (OTHER THAN THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES) AND FEDERAL SOURCES, AND FROM INMATE CONTRIBUTIONS, SUCH AS ROOM AND BOARD PAYMENT FROM WORK RELEASEES; AND

(IV) COST FOR SERVICES OR PROGRAMS WHICH ARE NOT PROVIDED AT STATE CORRECTIONAL FACILITIES.

(4) WHEN PROVIDING REIMBURSEMENT FOR THE HOUSING OF STATE-SENTENCED PRISONERS, THE DIVISION OF CORRECTION MAY NOT REIMBURSE FOR THE FIRST DAY OF CONFINEMENT BUT SHALL PAY FOR EACH DAY THEREAFTER, INCLUDING THE DAY OF RELEASE.