

performed by the applicant" is deleted as implicit in the reference to "the search" as used in this subsection.

In subsection (d)(2) of this section, the reference to a search conducted "in accordance with a search warrant issued under this section" is added to state expressly that which was only implied in the former law.

In subsection (e)(1) of this section, the phrase "from the date of issuance" is added to state expressly that which was formerly only implied in the phrase "not to exceed 30 days".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that there is an inconsistency between the use of the terms "dwelling" and "premises" in this section. Under subsection (a), the Commissioner or Commissioner's designee may apply for a search warrant to enter the "approved dwelling" of an inmate. Subsection (b) requires the applicant to describe the "premises" to be searched. Subsection (c) allows a judge to issue a search warrant when obtaining consent to enter the "premises" may jeopardize an attempt to take custody of the inmate. Subsection (d) requires a search warrant that is issued under this section to specify the location of the "premises" to be searched. The Committee is uncertain as to whether the words "dwelling" and "premises" are synonymous or, alternatively, whether the word "premises" has a broader meaning. The General Assembly may wish to amend this section to use either "dwelling" or "premises" throughout the entire section. See also § 6-109 of this article and accompanying Revisor's Note.

Defined terms: "Commissioner" § 3-101

"Inmate" § 1-101

"Program" § 3-401

SUBTITLE 5. STATE USE INDUSTRIES.

3-501. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the introductory language of former Art. 27, § 681.

The former phrase "unless the context requires otherwise" is deleted as a standard rule of statutory construction for defined terms.

No substantive change is intended.

(B) ADVISORY COMMITTEE.