

amount of reasonable payments . . . that are legally collectible" relates to the requirement in the second clause of subsection (f)(1) of this section that the Division collect a fee for electronic monitoring and the requirement in subsection (f)(2) of this section that the Division exempt offenders from the electronic monitoring fee under certain circumstances. The Committee has interpreted source law to require that the Division take into account the amount it determines to be "reasonable payments necessary to satisfy court ordered restitution, fines, court costs, and other fees that are legally collectible" when establishing the amount of the electronic monitoring fee. However, in light of the ambiguities in source law, the General Assembly may wish to examine the first clause of subsection (f)(1) of this section and clarify its meaning.

In subsection (f)(2)(i) of this section, the word "establish" is substituted for the former reference to "determine" for consistency with terminology used elsewhere in this article in provisions dealing with the establishment of fees. See, e.g., § 3-408(b)(1) of this article.

In subsection (f)(2)(ii) of this section, the reference to "the fee" is substituted for the former reference to "the cost of electronic monitoring" for consistency with terminology used in subsection (f)(2)(i) of this section.

In subsection (i) of this section, the reference to removing a parolee or an individual under mandatory supervision from the program "at any time and for any reason" is added to state expressly that which was only implied in the former law and for consistency with similar language used in § 3-413 of this article.

In subsection (j)(1) of this section, the former requirement that the Director adopt "reasonable" regulations is deleted as implicit in the requirements governing the adoption of regulations set forth in Title 10, Subtitle 1 of the State Government Article. See, e.g., SG § 10-111.1(b).

Former Art. 41, § 4-602A(i)(2) is deleted as duplicative of § 6-106(a)(2) and (3) of this subtitle.

Former Art. 41, § 4-602A(j) is deleted as duplicative of § 6-106(b) of this subtitle.

Defined terms: "Commission" § 6-101

"Crime of violence" § 6-101

"Department" § 1-101

"Director" § 6-101

"Division" § 6-101

"Offender" § 6-101

"Program" § 6-101

"Secretary" § 1-101

6-109. SAME — SEARCH OF DWELLING.

(A) APPLICATION FOR SEARCH WARRANT — REQUIRED.