

consistency throughout this article. See General Revisor's Note to this article.

Defined terms: "Commissioner of Correction" § 1-101

"Department" § 1-101

"Inmate" § 1-101

"Local correctional facility" § 1-101

"State correctional facility" § 1-101

9-402. REIMBURSEMENT FOR OPERATING COSTS — SENTENCED INMATES.

THE STATE SHALL REIMBURSE EACH COUNTY ACCORDING TO THE FOLLOWING FORMULA SO THAT EACH COUNTY RECEIVES THE GREATER OF:

(1) FOR SENTENCED INMATES WHO ARE SENTENCED ON OR AFTER JANUARY 1, 1987, THE STATE SHALL REIMBURSE A COUNTY FOR EACH DAY FROM THE 91ST DAY THROUGH THE 365TH DAY THAT SENTENCED INMATES ARE CONFINED IN A LOCAL CORRECTIONAL FACILITY AT A RATE OF REIMBURSEMENT OF 50% OF THE RATE SET FORTH IN § 9-403 OF THIS SUBTITLE; OR

(2) FOR EACH FISCAL YEAR, THE SECRETARY SHALL DETERMINE FOR EACH COUNTY THE DIFFERENCE BETWEEN THE ACTUAL NUMBER OF INMATE DAYS FOR THE PREVIOUS FISCAL YEAR AND THE AVERAGE NUMBER OF INMATE DAYS AND MULTIPLY THIS NUMBER OF INMATE DAYS, IF POSITIVE, BY 85% OF THE RATE OF REIMBURSEMENT SET FORTH IN § 9-403 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 690(d)(2).

In the introductory language of this section, the second reference to "each county" is substituted for the former reference to "each ... subdivision" for consistency within this section.

Also in the introductory language of this section, the former reference to each "eligible" county is deleted as implicit in the reference to each "county" in light of the specific formula for reimbursement set forth in this section.

In item (2) of this section, the reference to "each fiscal year" is substituted for the former obsolete reference to "Fiscal Year 1987 and each fiscal year thereafter".

Also in item (2) of this section, the reference to the "previous" fiscal year is substituted for the former reference to the "prior" fiscal year for consistency with § 9-403 of this subtitle.

Defined terms: "Actual number of inmate days" § 9-401

"Average number of inmate days" § 9-401

"County" § 1-101

"Inmate" § 1-101