

"Local correctional facility" § 1-101

"Secretary" § 1-101

"Sentenced inmates" § 9-401

9-403. REIMBURSEMENT RATE.

(A) TOTAL ACTUAL ANNUAL OPERATING COSTS USED IN FORMULATING AGREEMENT FOR REIMBURSEMENT.

THE DIVISION OF CORRECTION SHALL USE THE TOTAL ACTUAL ANNUAL OPERATING COSTS OF A LOCAL CORRECTIONAL FACILITY FOR THE PREVIOUS FISCAL YEAR DIVIDED BY THE TOTAL ACTUAL INMATE DAYS OF THE LOCAL CORRECTIONAL FACILITY FOR THE PREVIOUS FISCAL YEAR WHEN FORMULATING AN AGREEMENT FOR REIMBURSEMENT OF A COUNTY FOR THE CONFINEMENT OF INMATES:

(1) IN A LOCAL CORRECTIONAL FACILITY WHO HAVE BEEN SENTENCED TO THE JURISDICTION OF THE DIVISION OF CORRECTION; AND

(2) SENTENCED TO A LOCAL CORRECTIONAL FACILITY WITH SENTENCES OF MORE THAN 3 MONTHS AND NOT MORE THAN 18 MONTHS.

(B) INMATES SENTENCED TO JURISDICTION OF DIVISION OF CORRECTION.

WHEN PROVIDING REIMBURSEMENT FOR THE HOUSING OF AN INMATE SENTENCED TO THE JURISDICTION OF THE DIVISION OF CORRECTION, THE DIVISION OF CORRECTION:

(1) MAY NOT REIMBURSE FOR THE FIRST DAY OF CONFINEMENT; AND

(2) SHALL PAY FOR EACH SUBSEQUENT DAY, INCLUDING THE DAY OF RELEASE.

(C) NEW LOCAL CORRECTIONAL FACILITIES.

FOR THE PURPOSE OF CALCULATING REIMBURSEMENT UNDER THIS SUBTITLE TO A COUNTY FOR INMATES TO BE CONFINED IN A NEW LOCAL CORRECTIONAL FACILITY THAT HAS NOT REPLACED AN EARLIER EXISTING LOCAL CORRECTIONAL FACILITY, THE COMMISSIONER OF CORRECTION MAY SELECT AS THE PREVIOUS FISCAL YEAR'S TOTAL ACTUAL ANNUAL OPERATING COST:

(1) THE BUDGETED COST OF OPERATION OF THE NEW LOCAL CORRECTIONAL FACILITY FOR ITS FIRST FULL YEAR OF OPERATION; OR

(2) THE TOTAL ACTUAL ANNUAL OPERATING COST FOR THE PREVIOUS FISCAL YEAR OF THE EXISTING LOCAL CORRECTIONAL FACILITY IN THAT COUNTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 690(i)(1), (4), and (5).

Throughout this section, the defined term "total actual annual operating costs" is substituted for the former term "actual annual operating costs" for consistency with § 9-401(f) of this subtitle.

In subsection (b) of this section, the phrase inmates "sentenced to the