

jurisdiction of the Division of Correction" is substituted for the former reference to "State-sentenced" inmates for clarity and for consistency with subsection (a)(1) of this section.

In the introductory language of subsection (c) of this section, the phrase "[f]or the purpose of calculating reimbursement under this subtitle" is substituted for the former phrase "[w]hen providing reimbursement under [Article 27, § 690(d)]" to reflect the new structure of this subtitle. Former Art. 27, § 690(d)(1), which set forth a number of defined terms, is revised in § 9-401(a) through (d) of this subtitle. Former Art. 27, § 690(d)(2), which established rules relating to the calculation of reimbursement for "sentenced inmates" (*i.e.*, inmates sentenced to a local correctional facility for more than three months), is revised in § 9-402 of this subtitle. Former Art. 27, § 690(d)(3), which established reimbursement procedures for "sentenced inmates" as well as inmates under sentence to the Division of Correction but held in a local correctional facility, is revised in § 9-404 of this subtitle.

Also in the introductory language of subsection (c) of this section, the reference to inmates who are "confined" in a new local correctional facility is substituted for the former reference to inmates who are "housed" in a new local correctional facility for consistency throughout this article. See, e.g., § 9-401(d) of this subtitle.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the discretion granted to the Commissioner of Correction in subsection (c) of this section to select between different ways of determining the previous fiscal year's total actual annual operating cost is not guided by any criteria or standard. The General Assembly may wish to establish a standard or certain criteria to be considered by the Commissioner in making this decision.

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

"County" § 1-101

"Division of Correction" § 1-101

"Inmate" § 1-101

"Local correctional facility" § 1-101

"Total actual annual operating costs" § 9-401

9-404. REIMBURSEMENT PROCEDURES.

(A) CERTIFICATION TO COMPTROLLER.

ON OR BEFORE SEPTEMBER 30, DECEMBER 31, MARCH 31, AND JUNE 30 OF EACH YEAR, THE SECRETARY SHALL CERTIFY TO THE COMPTROLLER 25% OF THE AMOUNT ESTIMATED TO BE THE AMOUNT DUE TO A COUNTY UNDER THIS SUBTITLE.

(B) COMPENSATION FOR DISCREPANCIES.