

meaningless or amend this clause to give it meaning.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (d) of this section authorizes the Secretary to receive grants from a public or private "foundation or agency". This language excludes grants from individuals. The General Assembly may wish to amend subsection (d) of this section to authorize the Secretary to receive grants from any public or private "source".

Defined terms: "County" § 1-101

"Division of Correction" § 1-101

"Local correctional facility" § 1-101

"Secretary" § 1-101

11-105. FINANCIAL ASSISTANCE TO COUNTY FOR INMATES.

(A) APPLICATION FOR FINANCIAL ASSISTANCE.

IF THE SECRETARY DETERMINES THAT THE ANTICIPATED CONFINEMENT OF INMATES IN A COUNTY'S LOCAL CORRECTIONAL FACILITY AS A RESULT OF § 9-104(B) OF THIS ARTICLE WOULD EXCEED THE CAPACITY OF THE LOCAL CORRECTIONAL FACILITY, THE COUNTY MAY APPLY TO THE SECRETARY FOR FINANCIAL ASSISTANCE FOR THE CONSTRUCTION OF A NEW LOCAL CORRECTIONAL FACILITY OR ENLARGEMENT OF AN EXISTING LOCAL CORRECTIONAL FACILITY.

(B) STUDIES.

FOR THE PURPOSE OF ANTICIPATING INMATE CONFINEMENT UNDER SUBSECTION (A) OF THIS SECTION, THE SECRETARY ANNUALLY SHALL REVIEW AND STUDY EACH COUNTY'S LOCAL CORRECTIONAL FACILITY POPULATION IN CONJUNCTION WITH DATA RELEVANT TO PATTERNS OF:

- (1) SENTENCING; AND
- (2) GEOGRAPHIC DISTRIBUTION OF INMATES.

(C) STATE SHARE.

(1) SUBJECT TO THE STATE BUDGET APPROPRIATION PROCESS AND IN ACCORDANCE WITH THIS SECTION, IF A COUNTY'S CONSTRUCTION PLAN IS APPROVED BY THE SECRETARY UNDER THIS SECTION, THE STATE SHALL PAY ALL OF THE APPROVED COSTS OF ACQUISITION, CONSTRUCTION, ARCHITECTURAL AND ENGINEERING SERVICES, AND CAPITAL EQUIPMENT FOR:

- (I) A NEW LOCAL CORRECTIONAL FACILITY; OR
- (II) ENLARGEMENT OF AN EXISTING LOCAL CORRECTIONAL FACILITY.

(2) IF A COUNTY'S CONSTRUCTION PLAN IS DISAPPROVED BY THE SECRETARY, THE COUNTY MAY APPEAL TO THE BOARD OF PUBLIC WORKS.