

(3) SUBJECT TO THE STATE BUDGET APPROPRIATION PROCESS, IF THE BOARD OF PUBLIC WORKS APPROVES THE CONSTRUCTION PLAN, 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.

(D) APPROVAL BY SECRETARY.

THE PLANS AND COSTS FOR CONSTRUCTION OR ENLARGEMENT OF A LOCAL CORRECTIONAL FACILITY BY A COUNTY UNDER THIS SECTION ARE SUBJECT TO:

(1) THE PROCEDURES FOLLOWED BY STATE UNITS FOR REQUESTED CAPITAL PROJECTS; AND

(2) APPROVAL BY THE SECRETARY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 705(e).

In subsection (a) of this section, the former reference to "sentences imposed under" § 9-104(b) of this article is deleted for accuracy. No substantive change is intended. With certain exceptions, § 9-104(b) prohibits a judge from sentencing an individual to the jurisdiction of the Division of Correction for 12 months or less. Although § 9-104(b) requires, in effect, that a sentence of 12 months or less be to a local correctional facility, it does not technically authorize the imposition of a sentence.

Also in subsection (a) of this section, the references to the construction of "a new local correctional facility" and the enlargement of "an existing local correctional facility" are added to state expressly that which was only implied in the former reference to the construction or enlargement of "the [local correctional facility]".

In subsections (c)(1)(ii) and (3)(ii) and (d) of this section, the references to the "enlargement" of a local correctional facility are substituted for the former references to the "expansion" of a local correctional facility for consistency with subsection (a) of this section.

In subsection (c)(2) of this section, the former reference to appealing to the Board of Public Works "for approval of the ... plan" is deleted as implicit in the reference to an "appeal". It is also unnecessary in light of the reference to the Board's "approv[all]" in subsection (c)(3) of this section.

In subsection (d) of this section, the former reference to "process and" is deleted as redundant in light of the broad reference to the term "procedures".