

## (B) CONVERSION OF WORK RELEASE PROGRAMS INTO CENTERS.

(1) WITH THE APPROVAL OF THE SECRETARY, A COUNTY MAY CONVERT A WORK RELEASE PROGRAM ESTABLISHED UNDER TITLE 11, SUBTITLES 1 AND 7 OF THIS ARTICLE INTO A CENTER THAT IS SUBJECT TO THIS SUBTITLE.

(2) THE PROVISIONS OF § 11-309 OF THIS SUBTITLE DO NOT APPLY TO A WORK RELEASE PROGRAM THAT IS CONVERTED INTO A CENTER.

(3) THE SECRETARY SHALL ADOPT REGULATIONS FOR THE CONVERSION OF A WORK RELEASE PROGRAM INTO A CENTER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 710E.

In subsections (a) and (b) of this section, the references to authority granted and work release programs established under Title 11, Subtitle 1 of this article are technically narrower than the references in former Art. 27, § 710E to authority granted and work release programs established under former Art. 27, § 705 because former Art. 27, § 705(g) is revised in § 9-105 of this article. However, since former Art. 27, § 705(g) related only to the sentencing of individuals to local correctional facilities, omitting references to § 9-105 in subsections (a) and (b) of this section does not affect a substantive change.

Also in subsections (a) and (b) of this section, the references to authority granted and work release programs established under Title 11, Subtitle 7 of this article are technically broader than the references in former Art. 27, § 710E to authority granted and work release programs established under former Art. 27, §§ 645K through 645V. Title 11, Subtitle 7 of this article includes source law from former Art. 27, §§ 638AC, 639A, and 645W through 645MM, as well as source law from former Art. 27, §§ 645K through 645V. However, the references in subsections (a) and (b) of this section to Title 11, Subtitle 7 in its entirety do not affect a substantive change. The provisions of former Art. 27, §§ 638AC and 639A, which are revised in §§ 11-712(b) and 11-719 of this article, do not conflict in any way with subsections (a) and (b) of this section. The provisions of former Art. 27, §§ 645W through 645MM, which were enacted after the original enactment of Art. 27, § 710E (see Ch. 234, Acts of 1976), established the same types of authority for various counties as was established in former Art. 27, §§ 645T through 645V for Montgomery, Harford, and Prince George's Counties. The Committee believes that former Art. 27, § 710E should have been amended to include a cross-reference to each of these sections as they were enacted by the General Assembly.

In subsection (b)(3) of this section, the requirement that the Secretary "adopt regulations" is substituted for the former requirement that the Secretary "by rule, adopt procedures" for consistency throughout this article. See General Revisor's Note to this article.