

(3) A COUNTY OR THE COUNTIES IN A REGION MAY NOT BEGIN TO CONSTRUCT OR RENOVATE A CENTER UNTIL THE COUNTY OR COUNTIES AND THE SECRETARY NEGOTIATE AND ENTER INTO AN AGREEMENT REGARDING THE STATE SUBSIDY FOR APPROVED OPERATING COSTS.

(B) DETERMINATION OF SUBSIDY.

THE STATE SUBSIDY SHALL BE DETERMINED AS FOLLOWS:

(1) THE APPROVED OPERATING COSTS THAT EXCEED THE SUM OF AVAILABLE FEDERAL FUNDS AND INMATE CONTRIBUTIONS FOR ROOM AND BOARD SHALL BE DIVIDED BY 365 TO OBTAIN THE PER DIEM COST;

(2) THE PER DIEM COST SHALL BE DIVIDED ON A DAILY BASIS BY THE NUMBER OF INMATES CURRENTLY RESIDING IN THE CENTER TO OBTAIN THE PER DIEM PER PERSON COST;

(3) THE AMOUNT OF THE STATE SUBSIDY SHALL BE THE PER DIEM PER PERSON COST TIMES THE NUMBER OF INMATES CURRENTLY RESIDING IN THE CENTER EACH DAY WHO, UNDER §§ 11-316 AND 11-317 OF THIS SUBTITLE:

(I) HAVE BEEN PLACED IN THE CENTER UNDER A SENTENCE OF MORE THAN 90 DAYS; OR

(II) HAVE BEEN TRANSFERRED TO THE CENTER.

(C) PAYMENT OF SUBSIDY.

(1) THE STATE SUBSIDY SHALL BE PAID AT LEAST QUARTERLY.

(2) THE BOARD OF PUBLIC WORKS MAY DETERMINE THAT THE STATE SUBSIDY SHALL BE PAID MORE OFTEN THAN QUARTERLY.

(D) FEDERAL FUNDS.

(1) A COUNTY MAY ACCEPT AND USE FEDERAL FUNDS SPECIFICALLY DESIGNATED TO FINANCE PROGRAMS OR STAFF IN EXCESS OF THE MINIMUM STATE STANDARDS ADOPTED BY THE SECRETARY UNDER § 11-305 OF THIS SUBTITLE.

(2) AS LONG AS THE SPECIFICALLY DESIGNATED FEDERAL FUNDS ARE USED FOR PROGRAMS OR STAFF IN EXCESS OF THE MINIMUM STATE STANDARDS, THE STATE SUBSIDY MAY NOT BE REDUCED BECAUSE OF THE SPECIFICALLY DESIGNATED FEDERAL FUNDS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 710B(b), (c), and (d).

In subsection (a)(1) of this section, the limitation "[s]ubject to subsection (b) of this section" is added for clarity. The State is required to provide a subsidy only for those inmates specified in subsection (b) of this section.

Also in subsection (a)(1) of this section, the reference to a county or counties "in a region" is added for clarity and consistency within this subtitle.