

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly that which was only implied in former Art. 27, § 710C.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 27, § 710C(c).

Throughout this section, references to "inmate" and "inmate's" are substituted for the former references to "person" and "person's", respectively, for consistency throughout this article. See, e.g., §§ 11-310 and 11-316 of this subtitle; see also General Revisor's Note to this article.

In subsection (b)(2) of this section, the reference to "placement" of an inmate in a center is substituted for the former reference to "transfer" of an inmate to a center for consistency with subsection (b)(1) of this section.

Also in subsection (b)(2) of this section, the former reference to placement of an inmate in a center "at any time during the period of confinement" is deleted in light of subsection (b)(1) of this section which provides that the center director may recommend "[any] inmate in a local correctional facility" for placement in a center.

In subsection (c)(2) of this section, the reference to the performance of the inmate in the "center" is substituted for the former reference to the performance of the inmate in the "program" for consistency within this subtitle.

In subsection (d)(2)(i) of this section, the former reference to "the judge of" the court that committed the inmate is deleted as unnecessary because there was no reference to a particular judge of the court (e.g., the sentencing judge) in the second sentence of former Art. 27, § 710C(c)(3).

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (d)(2)(i) of this section conflicts with § 9-104(b) of this article. Under former Art. 27, § 710C(c)(3), which is revised in subsection (d)(2)(i) of this section, a court had authority to designate the Division of Correction as the agency of custody when an inmate's term of confinement exceeded 6 months. Under former Art. 27, § 690(c), which is revised in § 9-104(b) of this article, a judge had authority to sentence to the jurisdiction of the Division of Correction only if an inmate's sentence exceeded 12 months. Former Art. 27, § 710C(c)(3) was originally enacted in 1980. See Ch. 533, Acts of 1980. At that time, the 6-month designation did not conflict with former Art. 27, § 690(c), which, at that time, authorized a judge to sentence to the jurisdiction of the Division of Correction only if an inmate's sentence exceeded 3 months. See Art. 27, § 690(c) (1976 Replacement Volume and 1980 Supplement). However, when the 3-month designation in former Art. 27, § 690(c) was changed to a 12-month designation in 1986, no corresponding change was made to former Art. 27, § 710(c)(3). See Ch. 128, Acts of 1986. The General Assembly may wish to amend subsection (d)(2)(i) of this section to authorize a court to designate the Division of Correction