

(4) THE COUNTY COMMISSIONERS MAY CHARGE A REASONABLE FEE TO INDIVIDUALS WHO PARTICIPATE IN THE PROGRAM TO HELP DEFRAY PROGRAM EXPENSES.

(D) REIMBURSEMENT FOR SUBSTANCE ABUSE TREATMENT PROGRAM.

(1) (I) AN INDIVIDUAL WHO IS SENTENCED TO PARTICIPATE IN THE SUBSTANCE ABUSE TREATMENT PROGRAM AT THE COUNTY TREATMENT FACILITY SHALL PAY A PER DIEM FEE IN AN AMOUNT THAT THE COURT DETERMINES TO COVER FOOD, LODGING, CLOTHING, AND OTHER EXPENSES INCIDENTAL TO PARTICIPATION IN THE TREATMENT PROGRAM.

(II) A COURT MAY WAIVE PART OR ALL OF THE FEE BASED ON AN INDIVIDUAL'S ABILITY TO PAY.

(2) THE COUNTY ATTORNEY MAY BRING A CIVIL ACTION TO COLLECT ANY ARREARAGE INCIDENTAL TO THE PER DIEM CHARGE THAT REMAINS UNPAID 30 DAYS AFTER THE INDIVIDUAL'S DISCHARGE FROM THE COUNTY TREATMENT FACILITY.

REVISOR'S NOTE: Subsection (a) of this section is new language added to clarify that this section applies only in Calvert County.

Subsections (b), (c), and (d) of this section are new language derived without substantive change from former Art. 27, §§ 645Z, 645ZA, and 645ZB.

Throughout this section, the former references to "Calvert County" are deleted as unnecessary in light of subsection (a) of this section.

In subsections (b)(1) and (c)(3) and (4) of this section, the references to "individual" and "individuals" are substituted for the former references to "defendant" and "defendants", respectively, for consistency within this subtitle. Only the terms "individual" or "inmate" are used to apply to individuals who participate in programs under this subtitle except in §§ 11-703 and 11-705 of this subtitle, where the defined term "participant" is also used.

In subsections (b)(1) and (d)(1)(ii) of this section, the reference to a "court" is substituted for the former reference to the "Circuit Court or District Court in Calvert County" for brevity. Also, the reference to a court "in Calvert County" is unnecessary in light of subsection (a) of this section. Similarly, in subsection (b)(3) of this section, the reference to "the courts in the County" is substituted for the former reference to "the judges of the District and Circuit Courts of the County".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the reference to the defined term "court" in subsection (b)(2) of this section may be narrower than the reference to "court" in former Art. 27, § 645Z(a)(2) because it does not include the orphans' court. See § 11-701 of this article for the definition of "court". The Committee believes that this is an appropriate use of the term