

violation has occurred. The rule also provides that "[w]henver practicable, the hearing shall be held before the sentencing judge". See also §§ 11-709(b)(2)(i) and (3)(i), 11-712(d)(2) and (3)(i), 11-714(b)(1) and (3)(i) and (d)(2) and (3)(i), 11-715(d)(1) and (g)(1)(i), and 11-723(b)(2) and (3)(i) of this subtitle and accompanying Revisor's Notes. If the General Assembly chooses to amend subsection (c)(2), a corresponding change should be made to subsection (c)(3)(i) of this section, which refers to the recommendation of the "sentencing judge".

In subsection (c)(3) of this section, the phrase "[s]ubject to paragraph (4) of this subsection" is added to clarify that paragraph (4) imposes additional limitations on the eligibility criteria for the program. See also §§ 11-709(b)(3), 11-714(d)(3), and 11-723(b)(3) of this subtitle.

In subsection (c)(5)(ii) of this section, the former reference to "housing" is deleted as unnecessary in light of the reference to the synonymous term "lodging". The term "lodging" is also used in numerous other provisions of this subtitle. See, e.g., §§ 11-703(d)(4)(ii)1, 11-704(d)(2)(i), 11-706(b)(5)(ii)2 and (d)(1)(i), and 11-707(b)(2).

In subsection (c)(6) of this section, the former reference to a fee "imposed under this paragraph" is deleted as implied in the reference to "fee".

In subsection (c)(7) of this section, the reference to inmates "in" the home detention program is substituted for the former reference to individuals "who may participate" in the program for brevity.

Also in subsection (c)(7) of this section, the former reference to the Sheriff's authority to limit the "maximum" number of individuals in the program is deleted as implied in the reference to the Sheriff's authority to limit the "number" of inmates in the program.

Defined terms: "Court" § 11-701  
 "Crime of violence" § 11-701  
 "Inmate" § 1-101

#### 11-709. CECIL COUNTY.

##### (A) SCOPE OF SECTION.

THIS SECTION APPLIES ONLY IN CECIL COUNTY.

##### (B) HOME DETENTION PROGRAM.

###### (1) THE SHERIFF SHALL:

(I) ESTABLISH AND ADMINISTER A HOME DETENTION PROGRAM;

AND

(II) ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.