

(2) (I) AT THE TIME OF SENTENCING OR AT ANY TIME DURING AN INDIVIDUAL'S CONFINEMENT, THE SENTENCING JUDGE MAY PLACE THE INDIVIDUAL IN THE HOME DETENTION PROGRAM.

(II) THE SHERIFF MAY PLACE AN INMATE IN THE HOME DETENTION PROGRAM AT ANY TIME AFTER THE INMATE HAS SERVED 25% OF THE INMATE'S SENTENCE.

(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, AN INMATE IS ELIGIBLE FOR THE HOME DETENTION PROGRAM IF THE INMATE:

(I) IS PLACED IN THE PROGRAM BY THE SENTENCING JUDGE OR THE SHERIFF; AND

(II) HAS NO OTHER CHARGES PENDING IN ANY JURISDICTION.

(4) AN INMATE IS NOT ELIGIBLE FOR THE HOME DETENTION PROGRAM IF THE INMATE:

(I) IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE; OR

(II) HAS BEEN FOUND GUILTY OF THE CRIME OF:

1. CHILD ABUSE UNDER ARTICLE 27, § 35C OF THE CODE; OR

2. ESCAPE UNDER ARTICLE 27, § 139 OF THE CODE.

(5) THE SHERIFF SHALL:

(I) DETERMINE THE AMOUNT OF A REASONABLE FEE FOR THE COST OF ELECTRONIC SUPERVISION, INCLUDING THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE SUPERVISION; AND

(II) COLLECT THE FEE FROM EACH INMATE IN THE PROGRAM.

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

Subsection (b) of this section is new language derived without substantive change from former Art. 27, § 645KK.

In subsection (b)(1)(ii) of this section, the former reference to "rules" and regulations is deleted for consistency throughout this article. See General Revisor's Note to this article.

In subsection (b)(2) of this section, the former references to a home detention program "established under this section" are deleted as implied in the reference to "home detention program".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (b)(2)(i) of this section authorizes a "sentencing judge" to place an individual in home detention. Subsection (b)(2)(i) is silent as to what happens when the sentencing judge is unable to act on the matter. The General Assembly