

Assembly may wish to amend subsections (b)(1) and (d)(2) to reflect the language of Maryland Rule 4-347, which establishes procedures for hearings on alleged violations of probation. Maryland Rule 4-347 requires "[t]he court" to hold a hearing to determine whether a violation has occurred. The rule also provides that "[w]henever practicable, the hearing shall be held before the sentencing judge". See also §§ 11-708(c)(2), 11-709(b)(2)(i) and (3)(i), 11-712(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 amends subsections (b)(1) and (d)(2), corresponding changes should be made to subsection (b)(3)(i) of this section, which gives the "sentencing judge" authority to require that an inmate comply with the terms and conditions that the judge considers appropriate, and subsection (d)(3)(i) of this section, which refers to the recommendation of the "sentencing judge".

In subsection (b)(3)(ii) of this section, the phrase "may not affect" is substituted for the former phrase "shall in no event lengthen or shorten the term of" for brevity.

In subsection (c)(2) of this section, the reference to "an inmate of a local correctional facility" is substituted for the former reference to "persons sentenced to imprisonment in the jail" for consistency throughout this article. See § 1-101 of this article, for the definitions of "inmate" and "local correctional facility". In light of subsection (b)(1) of this section, which refers to an individual who is "convicted of a crime and sentenced to imprisonment", this substitution does not affect a substantive change.

Also in subsection (c)(2) of this section, the phrase "may leave" is substituted for the former phrase "may be granted the privilege of leaving" for brevity.

In subsection (c)(4) of this section, the former reference to a work release program "authorized under this section" is deleted as implied in the reference to "work release program".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (c)(4) of this section sets forth rules governing the disposition of an inmate's earnings. The Committee further notes that there are significant inconsistencies throughout this article in statutory provisions governing the disposition of an inmate's earnings in different contexts. See, e.g., §§ 3-804, 3-807(e)(1), 9-504(d), 9-512(b), 11-319(b), 11-407(b), 11-604, 11-703(d)(4), 11-704(d), 11-705(i), 11-706(b)(5), 11-707(b), 11-708(b)(7), 11-711(g), 11-712(c)(5), 11-715(e), 11-716(g), 11-717(e), 11-718(e), 11-719(b), 11-722(b), 11-724(g), and 11-725(b) of this article and accompanying Revisor's Notes. The General Assembly may wish to examine all of the relevant provisions and determine whether they should be changed to reflect a more consistent policy in this area.

In subsection (c)(5) of this section, the reference to "establish[ing]" a trust