

(2)] Money from the Fund may ONLY be used to fund the operating budget of the Police Training Commission or the Correctional Training Commission 9-402.

(A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE State shall reimburse each county according to the following formula so that each county receives the greater of:

(1) for sentenced inmates who are sentenced on or after January 1, 1987, the State shall reimburse a county for each day from the 91st day through the 365th day that sentenced inmates are confined in a local correctional facility at a rate of reimbursement of 50% of the rate set forth in § 9-403 of this subtitle; or

(2) for each fiscal year, the Secretary shall determine for each county the difference between the actual number of inmate days for the previous fiscal year and the average number of inmate days and multiply this number of inmate days, if positive, by 85% of the rate of reimbursement set forth in § 9-403 of this subtitle.

(B) (1) EACH COUNTY SHALL SUBMIT TO THE DEPARTMENT:

(I) ON OR BEFORE DECEMBER 1 OF THE FISCAL YEAR, CLOSEOUT DATA FOR THE PREVIOUS FISCAL YEAR;

(II) ON OR BEFORE OCTOBER 1 OF THE FISCAL YEAR, INMATE DAYS REPORTS FOR THE PREVIOUS FISCAL YEAR.

(2) IF A COUNTY FAILS TO SUBMIT THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION WHEN DUE, THE DEPARTMENT SHALL DEDUCT AN AMOUNT EQUAL TO 20% OF THE TOTAL REIMBURSEMENT OTHERWISE DUE THE COUNTY UNDER THE SECTION FOR EACH 30 DAYS OR PART OF 30 DAYS AFTER THE DUE DATE THAT THE INFORMATION HAS NOT BEEN SUBMITTED.

11-105.

(a) If the Secretary determines that the anticipated confinement of inmates in a county's local correctional facility as a result of [§ 9-104(b) of this article] THE SENTENCING STIPULATION EFFECTIVE ON JANUARY 1, 1987, would exceed the capacity of the local correctional facility, [the county may apply to the Secretary for financial assistance for the construction of a new local correctional facility or enlargement of an existing local correctional facility] THE STATE SHALL PAY 100% OF THE COSTS LISTED UNDER SUBSECTION (C) OF THIS SECTION OF A NEW OR ENLARGED EXISTING LOCAL CORRECTIONAL FACILITY.

(b) For the purpose of anticipating inmate confinement under subsection (a) of this section, the Secretary annually shall review and study each county's local correctional facility population in conjunction with data relevant to patterns of:

(1) sentencing; [and]

(2) geographic distribution of inmates; AND