

(1) IS NOT AUTHORIZED FOR INMATE POSSESSION BY THE MANAGING OFFICIAL; OR

(2) IS BROUGHT INTO THE CORRECTIONAL FACILITY IN A MANNER PROHIBITED BY THE MANAGING OFFICIAL.

REVISOR'S NOTE: This subsection formerly was Art. 27, § 138(a)(3).

No changes are made.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that in the introductory language to this subsection, the reference to a thing "of value" is confusing, and should be deleted. It is unclear whether the standard of "value" relates to the prison environment or to the outside world. The General Assembly may wish to delete this reference in substantive legislation.

Defined terms: "Correctional facility" § 1-101  
"Inmate" § 1-101

(D) CONTROLLED DANGEROUS SUBSTANCE.

"CONTROLLED DANGEROUS SUBSTANCE" HAS THE MEANING STATED IN § 5-101 OF THIS ARTICLE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 138(a)(4)(i).

The former limitation "[e]xcept as provided in subparagraph (ii) of this paragraph" is deleted in light of the revision of former Art. 27, § 138(a)(4)(ii), which authorized certain prescribed inmate medications, as a scope provision in § 9-411 of this part.

(E) MANAGING OFFICIAL.

"MANAGING OFFICIAL" MEANS THE ADMINISTRATOR, DIRECTOR, WARDEN, SUPERINTENDENT, SHERIFF, OR OTHER INDIVIDUAL RESPONSIBLE FOR THE MANAGEMENT OF A PLACE OF CONFINEMENT.

REVISOR'S NOTE: This subsection formerly was Art. 27, § 138(a)(5).

No changes are made.

Defined term: "Place of confinement" §§ 9-401, 9-410

(F) PLACE OF CONFINEMENT.

(1) "PLACE OF CONFINEMENT" HAS THE MEANING STATED IN § 9-401 OF THIS SUBTITLE.

(2) "PLACE OF CONFINEMENT" DOES NOT INCLUDE A PLACE IDENTIFIED IN A HOME DETENTION ORDER OR AGREEMENT.