

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

645FF.

(F) (1) THE SHERIFF OF FREDERICK COUNTY SHALL:

(I) ESTABLISH AND ADMINISTER A HOME DETENTION PROGRAM; AND

(II) ADOPT REGULATIONS FOR THE HOME DETENTION PROGRAM.

(2) WHEN AN INDIVIDUAL IS CONVICTED AND SENTENCED TO IMPRISONMENT BY ANY COURT IN FREDERICK COUNTY, THE JUDGE IMPOSING SENTENCE, AT SENTENCING OR AT ANY TIME DURING THE INDIVIDUAL'S INCARCERATION, MAY REQUIRE THAT THE INDIVIDUAL PARTICIPATE IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER THIS SECTION.

(3) AN INDIVIDUAL IS ELIGIBLE FOR THE HOME DETENTION PROGRAM IF:

(I) THE SENTENCING JUDGE RECOMMENDS THE INDIVIDUAL TO BE SENTENCED TO THE HOME DETENTION PROGRAM; AND

(II) THE INDIVIDUAL HAS NO OTHER CHARGES PENDING IN ANY CITY, COUNTY, OR STATE.

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

(I) IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE AS DEFINED IN § 643B OF THIS ARTICLE; OR

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

1. CHILD ABUSE UNDER § 35A OF THIS ARTICLE; OR

2. ESCAPE UNDER § 139 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 5, 1992.
