

- (I) IMMORALITY;
- (II) MISCONDUCT IN OFFICE;
- (III) INCOMPETENCY; OR
- (IV) WILLFUL NEGLECT OF DUTY.

(2) BEFORE REMOVING A MEMBER, THE STATE BOARD SHALL SEND THE MEMBER A COPY OF THE CHARGES AND GIVE THE MEMBER AN OPPORTUNITY WITHIN 10 DAYS TO REQUEST A HEARING.

(3) IF THE MEMBER REQUESTS A HEARING WITHIN THE 10-DAY PERIOD:

(I) THE STATE BOARD PROMPTLY SHALL HOLD A HEARING, BUT A HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE STATE BOARD SENDS THE MEMBER A NOTICE OF THE HEARING; AND

(II) THE MEMBER SHALL HAVE AN OPPORTUNITY TO BE HEARD PUBLICLY BEFORE THE STATE BOARD IN THE MEMBER'S OWN DEFENSE, IN PERSON OR BY COUNSEL.

(4) A MEMBER REMOVED UNDER THIS SUBSECTION HAS THE RIGHT TO A DE NOVO REVIEW OF THE REMOVAL BY THE CIRCUIT COURT FOR ALLEGANY COUNTY.

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

Approved May 5, 1992.

CHAPTER 172

(House Bill 628)

AN ACT concerning

Department of Public Safety and Correctional Services – Home Detention

FOR the purpose of authorizing a home detention program for parole and mandatory supervision; providing that the Parole Commission may modify a parole order to require that all or any part of the remaining parole period be spent in a home detention program; specifying the procedure under which a parole order may be modified to include a condition of home detention; providing criteria for who may not be in the program; requiring the Division of Parole and Probation to set, collect, and dispose of certain fees and funds for offenders in the program; defining certain terms; authorizing certain employees of the Division to make arrests; providing for certain search warrants; providing that the Director of Parole and Probation may authorize certain employees to execute warrants for the retaking of offenders in a