

and authorizing establishment of certain fees; requiring the Sheriff to adopt certain regulations; providing for penalties relating to violations under the home detention program; and generally relating to the establishment of a home detention program in Allegany County.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 645JJ

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)

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

**Article 27 - Crimes and Punishments**

645JJ.

(a) This section applies only in ALLEGANY AND Washington [County] COUNTIES.

(b) The Sheriff shall:

(1) Establish and administer a home detention program; and

(2) Adopt regulations for the home detention program.

(c) Whenever a person shall be convicted of a crime and sentenced to imprisonment by any court in the County, the judge imposing sentence at the time of sentencing or at any time during the individual's incarceration may prescribe that the individual participate in the home detention program established under this section.

(d) An individual is eligible for the home detention program if:

(1) The individual is recommended to be sentenced to the home detention program by the sentencing judge; and

(2) The individual has no other charges pending in any city, county, or state.

(e) An individual is not eligible for the home detention program if the individual:

(1) Is serving a sentence for a crime of violence as defined in § 643B of this subheading; or

(2) Has been found guilty of the crime of:

(i) Child abuse under § 35C of this article; or

(ii) Escape under § 139 of this article.