

Defined terms: "Commissioner" § 3-101

"Inmate" § 1-101

"Program" § 3-401

3-408. RESTITUTION AND FEES.

(A) COURT ORDERED RESTITUTION.

TO SATISFY COURT ORDERED RESTITUTION THAT AN INMATE IN THE PROGRAM OWES, THE DIVISION SHALL:

(1) DETERMINE THE AMOUNT OF REASONABLE PAYMENTS; AND

(2) COLLECT AND DISBURSE THE PAYMENTS.

(B) COST OF ELECTRONIC SUPERVISION.

(1) THE DIVISION SHALL ESTABLISH A REASONABLE FEE FOR THE COST OF ELECTRONIC SUPERVISION AND, EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, COLLECT THE FEE FROM EACH INMATE IN THE PROGRAM.

(2) IF THE DIVISION DETERMINES THAT AN INMATE CANNOT AFFORD TO PAY THE FEE ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DIVISION MAY EXEMPT THE INMATE WHOLLY OR PARTLY FROM THE FEE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 689A(h).

In subsection (b)(1) of this section, the word "establish" is substituted for the former reference to "determine" for consistency throughout this article in provisions dealing with the establishment of fees.

In subsection (b)(2) of this section, the reference to "the fee" is substituted for the former reference to "the cost of electronic monitoring" for consistency with subsection (b)(1) of this section.

Defined terms: "Division" § 3-101

"Inmate" § 1-101

"Program" § 3-401

3-409. PROHIBITED ACTS.

(A) VIOLATION OF CONDITIONS OF PLACEMENT.

(1) AN INMATE WHO WILLFULLY VIOLATES THE CONDITIONS OF THE INMATE'S PLACEMENT IN THE PROGRAM IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR.

(2) NOTWITHSTANDING § 9-104 OF THIS ARTICLE, A SENTENCE UNDER THIS SUBSECTION MAY BE TO THE JURISDICTION OF THE DIVISION.

(B) COMMISSION OF CRIME.

COMMISSION OF ANY CRIME BY AN INMATE CONSTITUTES A VIOLATION OF THE CONDITIONS OF THE INMATE'S PLACEMENT IN THE PROGRAM.