

(3) AS A CONDITION OF GRANTING SPECIAL LEAVE, THE COMMISSIONER MAY REQUIRE THAT THE INMATE AGREE TO WAIVE THE RIGHT TO CONTEST EXTRADITION PROCEEDINGS.

(4) THE COMMISSIONER OR DEPUTY COMMISSIONER SHALL FILE THE ORDER GRANTING SPECIAL LEAVE IN THE DIVISION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 700D.

In subsection (a) of this section, the reference to "grant[ing]" leave is substituted for the former reference to "authoriz[ing]" leave for consistency with subsections (b) and (c)(3) and (4) of this section and §§ 3-801(b), 3-802(a) and (b), 3-807(b), 3-808, 3-809, and 3-811(a) and (b)(1) of this subtitle.

Also in subsection (a) of this section, the reference to a special community or other meritorious program or activity that the Commissioner and managing official "believe" is beneficial to the inmate is substituted for the former reference to a program or activity that "in their judgment" is beneficial to the inmate for brevity.

Also in subsection (a) of this section, the reference to a correctional facility "in" the Division of Correction is substituted for the former reference to a correctional facility "under [the Commissioner's] jurisdiction" for consistency throughout this article. See General Revisor's Note to this article.

In the introductory language of subsection (b) of this section, the reference to the authority of the "Commissioner or the Deputy Commissioner" is added to state expressly that which was only implied in the former law, i.e., these are the only individuals who have authority to grant special leave under this section.

In subsection (b)(5) of this section, the reference to a governmental "unit" is substituted for the former reference to a governmental "agency" for consistency throughout this article. See General Revisor's Note to this article.

In subsection (c)(2) of this section, the former explicit prohibition against delegating responsibility for the issuance of special leave is deleted as unnecessary in light of the requirement that the special leave be signed "personally" by either the Commissioner or Deputy Commissioner.

In subsection (c)(4) of this section, the reference to the "Commissioner or Deputy Commissioner" is added to state expressly that which was only implied in the former law.

Also in subsection (c)(4) of this section, the defined term "Division" is substituted for the former reference to "Department" for accuracy. See General Revisor's Note to this subtitle.