

(2) THE COMMISSIONER MAY REFER AN INMATE TO THE INSTITUTION:

- (I) ON RECOMMENDATION OF THE SENTENCING COURT; OR
- (II) ON APPLICATION BY THE INMATE OR THE STATE'S ATTORNEY OF THE COUNTY IN WHICH THE INMATE WAS LAST CONVICTED; OR
- (III) ON THE COMMISSIONER'S OWN INITIATIVE.

(B) EXAMINATION.

(1) WITHIN 6 MONTHS AFTER AN INMATE IS REFERRED TO THE INSTITUTION, AN EVALUATION TEAM SHALL EXAMINE THE INMATE.

(2) BEFORE PROCEEDING WITH THE EXAMINATION, THE EVALUATION TEAM SHALL ASSEMBLE AND REVIEW ALL AVAILABLE AND RELEVANT INFORMATION ABOUT THE INMATE PROVIDED FOR IN § 4-209 OF THIS TITLE.

(C) DETERMINATION BY EVALUATION TEAM.

(1) BASED ON THE INFORMATION REVIEWED UNDER SUBSECTION (B)(2) OF THIS SECTION AND AN EXAMINATION OF THE INMATE, THE EVALUATION TEAM SHALL DETERMINE WHETHER, IN THE OPINION OF A MAJORITY OF THE TEAM, THE INMATE IS AN ELIGIBLE PERSON.

(2) THE EVALUATION TEAM SHALL SUBMIT TO THE DIRECTOR A WRITTEN REPORT THAT STATES ITS FINDINGS.

(3) THE REPORT SHALL STATE IN DETAIL THE REASONING SUPPORTING THE TEAM'S CONCLUSION WITH RESPECT TO EACH OF THE CRITERIA FOR AN ELIGIBLE PERSON SET FORTH IN § 4-101(E) OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 31B, § 8.

In subsection (c)(1) of this section, the former reference to the team's "opinion" is deleted as unnecessary in light of the reference to the "opinion of a majority of the team".

Defined terms: "Commissioner" § 4-101

"County" § 1-101

"Director" § 4-101

"Eligible person" § 4-101

"Evaluation team" § 4-101

"Inmate" § 1-101

"Institution" § 4-101

"Secretary" § 1-101

4-302: TRANSFER TO INSTITUTION.

(A) NOTICE OF INELIGIBILITY.