

In subsection (b)(2) of this section, the requirement that an application for a search warrant be "verified" by the applicant is substituted for the former requirement that an application be "signed and sworn to" by the applicant for consistency with similar provisions in this and other revised articles of the Code. See General Revisor's Note to this article.

In subsection (b)(3) of this section, the former reference to a search "to be performed by the applicant" is deleted as implicit in the reference to a "search".

In subsection (d)(2) of this section, the reference to a search conducted "in accordance with a search warrant issued under this section" is added to state expressly what was only implied in the former law.

In subsection (e)(1) of the section, the phrase "from the date of issuance" is added to state expressly that which was formerly only implied in the phrase "not to exceed 30 days".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that there is an inconsistency between the use of the terms "dwelling" and "premises" in this section. Under subsection (a) of this section, the Director may apply for a search warrant to enter the "approved dwelling" of an inmate. Subsection (b) of this section requires the applicant to describe the "premises" to be searched. Subsection (c) of this section allows a judge to issue a search warrant when obtaining consent to enter the "premises" may jeopardize an attempt to take custody of the inmate. Subsection (d) of this section requires a search warrant that is issued under this section to specify the location of the "premises" to be searched. The Committee is uncertain as to whether the words "dwelling" and "premises" are synonymous or, alternatively, whether the word "premises" has a broader meaning. The General Assembly may wish to amend this section to use either "dwelling" or "premises" throughout the entire section. See also § 3-415 of this article and accompanying Revisor's Note.

Defined terms: "Director" § 6-101

"Offender" § 6-101

"Program" § 6-101

6-110. VISITORIAL POWERS OF PAROLE AGENTS.

EACH DULY QUALIFIED PAROLE AGENT OF THE DIVISION HAS VISITORIAL POWERS OVER ANY CORRECTIONAL FACILITY IN WHICH AN INMATE IS CONFINED ON A CRIMINAL CHARGE, WHETHER THE CORRECTIONAL FACILITY IS OPERATED BY THE STATE OR BY A COUNTY OR MUNICIPAL CORPORATION OF THE STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 41, § 4-606, as it related to the powers of parole agents.

The reference to a "municipal corporation" is substituted for the former