

(3) IF THE ADMINISTRATOR ESTABLISHES A PROGRAM UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE ADMINISTRATOR SHALL ESTABLISH:

(I) ELIGIBILITY CRITERIA FOR PARTICIPATION IN THE HOME DETENTION PROGRAM; AND

(II) FOR EACH PARTICIPANT, A HOME DETENTION PLAN THAT SHALL INCLUDE THE TERMS AND CONDITIONS OF THE HOME DETENTION.

(L) (1) PARTICIPATION BY A PARTICIPANT IN THE HOME DETENTION PROGRAM IS A PRIVILEGE APPROVED BY COURT ORDER AUTHORIZED BY COURT.

(2) THIS SECTION DOES NOT CREATE A RIGHT TO PARTICIPATE IN THE HOME DETENTION PROGRAM OR REMAIN IN THE PROGRAM IF THE PARTICIPANT HAS BEEN SUSPENDED OR REMOVED FROM THE PROGRAM.

(M) (1) THE ADMINISTRATOR MAY RECOMMEND TO A JUDGE THAT AN INDIVIDUAL PARTICIPATE IN THE HOME DETENTION PROGRAM IF:

(I) THE INDIVIDUAL HAS APPLIED TO PARTICIPATE IN THE PROGRAM;

(II) EXCEPT FOR A VIOLATION OF THE TRANSPORTATION ARTICLE OR OTHER TRAFFIC LAW OR ORDINANCE FOR WHICH A PENALTY OF INCARCERATION IS NOT AUTHORIZED, THE INDIVIDUAL HAS NO OTHER CHARGES PENDING IN ANY MUNICIPAL CORPORATION, COUNTY, OR STATE; AND

(III) THE ADMINISTRATOR HAS APPROVED THE APPLICATION.

(2) IF THE ADMINISTRATOR RECOMMENDS PARTICIPATION IN THE HOME DETENTION PROGRAM, A COURT MAY ~~ORDER~~ AUTHORIZE AN INDIVIDUAL TO PARTICIPATE IN THE PROGRAM:

(I) AFTER IMPOSING A SENTENCE; OR

(II) AT ANY TIME DURING THE INDIVIDUAL'S INCARCERATION.

(N) THE ADMINISTRATOR MAY SUSPEND OR REMOVE A PARTICIPANT FROM THE HOME DETENTION PROGRAM:

(1) AT ANY TIME;

(2) WITHOUT PRIOR APPROVAL FROM THE COURT; AND

(3) FOR ANY REASON THAT THE ADMINISTRATOR DETERMINES.

(O) AN IF THE ADMINISTRATOR WHO SUSPENDS OR REMOVES A PARTICIPANT FROM THE HOME DETENTION PROGRAM, THE ADMINISTRATOR SHALL NOTIFY THE COURT WITHIN 15 DAYS AFTER THE SUSPENSION OR REMOVAL.

(P) A PARTICIPANT IS NOT ELIGIBLE FOR THE HOME DETENTION PROGRAM IF THE PARTICIPANT: