

In subsection (c) of this section, the reference to the Commission's final decision on the closure of a correctional facility, or any of its "correctional" elements, "procedures, or functions" is added for consistency with subsection (a) of this section.

Defined terms: "Commission" § 8-101

"Correctional facility" § 1-101

"Minimum mandatory standards" § 8-101

8-115. SAME — LIFE-THREATENING OR HEALTH-ENDANGERING CONDITIONS.

(A) ORDER TO CEASE OPERATION.

IF THE COMMISSION OR AN AUTHORIZED INSPECTOR FINDS A CONDITION IN A CORRECTIONAL FACILITY THAT IS LIFE THREATENING OR HEALTH ENDANGERING, THE COMMISSION OR INSPECTOR MAY ORDER THE IMMEDIATE CESSATION OF OPERATION.

(B) HEARING.

WITHIN 96 HOURS AFTER AN ORDER IS ISSUED UNDER SUBSECTION (A) OF THIS SECTION, THE COMMISSION SHALL HOLD A REVIEW HEARING TO CONFIRM OR COUNTERMAND THE ORDER.

(C) TRANSFER OF INMATES.

(1) IF A CORRECTIONAL FACILITY IS ORDERED CLOSED UNDER THIS SECTION, ALL INMATES IN THE FACILITY SHALL BE TRANSFERRED TO AND ACCEPTED IN A SUITABLE PLACE OF DETENTION, AS THE SECRETARY DETERMINES.

(2) THE GOVERNING BODY RESPONSIBLE FOR THE COST OF THE CLOSED FACILITY SHALL PAY THE EXPENSES INCURRED IN TRANSFERRING AND MAINTAINING INMATES UNDER PARAGRAPH (1) OF THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-401(e).

In subsection (a) of this section, the former reference to a "duly" authorized inspector is deleted as implicit in the term "authorized".

In subsection (b) of this section, the former reference to a "full" hearing is deleted because the word "full" provides no meaningful modification to the word "hearing".

Defined terms: "Commission" § 8-101

"Correctional facility" § 1-101

"Inmate" § 1-101

"Secretary" § 1-101

8-116. SAME — ADVISORY BOARDS.

(A) POWER TO ESTABLISH.