

HOUSE BILL 855

E4

6lr2239
CF SB 439

By: **Delegates Morales, Valentino-Smith, Anderson, Atterbeary, Korman, McCray,
Moon, Platt, Sanchez, Smith, Sydnor, and P. Young**

Introduced and read first time: February 8, 2016

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 1, 2016

CHAPTER _____

1 AN ACT concerning

2 **Correctional Training Commission – Department of Juvenile Services**
3 **Employees – Revocation of Certification and Reinstatement**

4 FOR the purpose of authorizing the Correctional Training Commission to revoke the
5 certification of a Department of Juvenile Services employee in conjunction with
6 certain disciplinary actions; authorizing the court to reinstate the certification of a
7 correctional officer under certain circumstances; authorizing the Office of
8 Administrative Hearings to reinstate the certification of a Department of Juvenile
9 Services employee with no further examination or condition under certain
10 circumstances; and generally relating to the Correctional Training Commission and
11 the revocation of certification and reinstatement of Department of Juvenile Services
12 employees.

13 BY repealing and reenacting, with amendments,
14 Article – Correctional Services
15 Section 8–209.2
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2015 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Correctional Services**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 8-209.2.

2 (a) The Commission may revoke the certification of a correctional officer **OR**
3 **DEPARTMENT OF JUVENILE SERVICES EMPLOYEE** in conjunction with disciplinary
4 action taken under Title 11 of the State Personnel and Pensions Article.

5 (b) **(1)** If the Office of Administrative Hearings rescinds or modifies a
6 disciplinary action against a correctional officer under Title 11 of the State Personnel and
7 Pensions Article, the Office of Administrative Hearings may reinstate the correctional
8 officer's certification with no further examination or condition.

9 **(2) IF THE COURT, ACTING UNDER § 10-911 OF THIS ARTICLE,**
10 **RESCINDS OR MODIFIES A DISCIPLINARY ACTION AGAINST A CORRECTIONAL**
11 **OFFICER, THE COURT MAY REINSTATE THE CORRECTIONAL OFFICER'S**
12 **CERTIFICATION WITH NO FURTHER EXAMINATION OR CONDITION.**

13 **(C) IF THE OFFICE OF ADMINISTRATIVE HEARINGS RESCINDS OR MODIFIES**
14 **A DISCIPLINARY ACTION AGAINST A DEPARTMENT OF JUVENILE SERVICES**
15 **EMPLOYEE UNDER TITLE 11 OF THE STATE PERSONNEL AND PENSIONS ARTICLE,**
16 **THE OFFICE OF ADMINISTRATIVE HEARINGS MAY REINSTATE THE EMPLOYEE'S**
17 **CERTIFICATION WITH NO FURTHER EXAMINATION OR CONDITION.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.