

HOUSE BILL 1238

P2, E4

9lr2845

By: **Delegates Turner, Acevero, Ivey, and Mosby**

Introduced and read first time: February 8, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Facilities – Employment – Ex–Offenders**

3 FOR the purpose of requiring the Department of Public Safety and Correctional Services
4 to contract with a certain business to provide certain information technology
5 services; requiring the Department to give a preference to certain minority business
6 enterprises for certain information technology services; requiring the Department to
7 adopt certain regulations; prohibiting a unit of State or local government from
8 entering into a procurement contract for certain goods and services with a certain
9 business entity under certain circumstances; defining certain terms; and generally
10 relating to employment for ex–offenders.

11 BY adding to

12 Article – Correctional Services

13 Section 9–617

14 Annotated Code of Maryland

15 (2017 Replacement Volume and 2018 Replacement Volume)

16 BY adding to

17 Article – State Finance and Procurement

18 Section 13–501 and 13–502 to be under the new subtitle “Subtitle 5. Procurement
19 From Businesses Selling Goods or Services to Correctional Facilities”

20 Annotated Code of Maryland

21 (2015 Replacement Volume and 2018 Supplement)

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

24 **Article – Correctional Services**

25 **9–617.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
2 DEPARTMENT SHALL CONTRACT WITH A BUSINESS THAT PROVIDES INFORMATION
3 TECHNOLOGY SERVICES TO:

4 (I) ALLOW INMATES IN STATE AND LOCAL CORRECTIONAL
5 FACILITIES TO ELECTRONICALLY CREATE AND STORE EMPLOYMENT RESUMES TO
6 BE USED TO OBTAIN EMPLOYMENT AFTER THE INMATE IS RELEASED; AND

7 (II) ESTABLISH A SEARCHABLE COMPUTERIZED DIRECTORY OF
8 EMPLOYMENT RESUMES CREATED BY INMATES THAT IS PUBLICLY ACCESSIBLE ON
9 THE INTERNET.

10 (2) THE DEPARTMENT SHALL GIVE A PREFERENCE TO A MINORITY
11 BUSINESS ENTERPRISE, CERTIFIED IN ACCORDANCE WITH TITLE 14, SUBTITLE 3 OF
12 THE STATE FINANCE AND PROCUREMENT ARTICLE, FOR THE INFORMATION
13 TECHNOLOGY SERVICES REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

14 (B) THE DEPARTMENT SHALL ADOPT REGULATIONS REQUIRING STATE
15 AND LOCAL CORRECTIONAL FACILITIES TO ALLOW AN INMATE, AT A REASONABLE
16 PERIOD OF TIME BEFORE THE INMATE IS RELEASED FROM CONFINEMENT, TO
17 ELECTRONICALLY CREATE AND STORE AN EMPLOYMENT RESUME USING THE
18 SERVICES UNDER SUBSECTION (A) OF THIS SECTION.

19 Article – State Finance and Procurement

20 SUBTITLE 5. PROCUREMENT FROM BUSINESSES SELLING GOODS OR SERVICES TO
21 CORRECTIONAL FACILITIES.

22 13-501.

23 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (B) “CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1-101 OF
26 THE CORRECTIONAL SERVICES ARTICLE.

27 (C) “EX-OFFENDER” MEANS A PERSON WHO HAS BEEN CONVICTED OF A
28 CRIME.

29 13-502.

30 A UNIT OF STATE OR LOCAL GOVERNMENT MAY NOT ENTER INTO A
31 PROCUREMENT CONTRACT WITH A BUSINESS ENTITY THAT SELLS GOODS OR

1 SERVICES TO A STATE OR LOCAL CORRECTIONAL FACILITY OR A FACILITY
2 OPERATED BY THE U.S. FEDERAL BUREAU OF PRISONS UNLESS:

3 (1) AT LEAST HALF OF THE WORKFORCE EMPLOYED BY THE BUSINESS
4 ENTITY CONSISTS OF EX-OFFENDERS; AND

5 (2) THE BUSINESS ENTITY HAS DEVELOPED A WRITTEN WORKPLACE
6 POLICY TO MAKE REASONABLE ACCOMMODATIONS FOR REQUIREMENTS IMPOSED
7 ON AN EX-OFFENDER EMPLOYED BY THE BUSINESS ENTITY AS A CONDITION OF
8 PAROLE, PROBATION, OR OTHER TYPE OF RELEASE FROM IMPRISONMENT.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2019.