

HOUSE BILL 1414

E4

0lr3142

By: **Delegates Wilkins, Mosby, and Acevero**

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Public Safety and Correctional Services – Standards at State**
3 **Correctional Facilities**

4 FOR the purpose of stating the intent of the General Assembly that the Department of
5 Public Safety and Correctional Services ensure that State correctional facilities
6 adhere to certain standards; requiring the Department to submit a report annually
7 to certain committees of the General Assembly on efforts to adhere to the standards;
8 requiring the report to be posted on the Department’s website; requiring the
9 standards to be posted in a place accessible to all incarcerated individuals; and
10 generally relating to standards at State correctional facilities.

11 BY adding to
12 Article – Correctional Services
13 Section 10–802
14 Annotated Code of Maryland
15 (2017 Replacement Volume and 2019 Supplement)

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

18 **Article – Correctional Services**

19 **10–802.**

20 **(A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT**
21 **ENSURE THAT EVERY STATE CORRECTIONAL FACILITY ADHERE TO THE FOLLOWING**
22 **STANDARDS:**

23 **(1) AN INCARCERATED INDIVIDUAL WHO PROVIDES LABOR AT THE**
24 **DIRECTION OF THE DEPARTMENT SHALL BE COMPENSATED FOR THE LABOR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PERFORMED, REGARDLESS OF THE TYPE, FREQUENCY, OR DURATION OF THE TASK
2 ASSIGNED;

3 (2) JOBS FOR INCARCERATED INDIVIDUALS SHALL BE PROVIDED IN A
4 MANNER THAT:

5 (I) DOES NOT DISCRIMINATE BASED ON AGE, ANCESTRY,
6 COLOR, CREED, MARITAL STATUS, NATIONAL ORIGIN, RACE, RELIGION, GENDER,
7 GENDER IDENTITY, SEXUAL ORIENTATION, OR DISABILITY; AND

8 (II) REFLECTS THE DIVERSITY OF STATE CORRECTIONAL
9 INSTITUTIONS;

10 (3) ITEMS AVAILABLE FOR SALE AT A COMMISSARY SHALL BE PRICED
11 AND SOLD AT A FAIR AND REASONABLE MARKET RATE;

12 (4) TELECOMMUNICATION SERVICES SHALL BE PRICED AT A FAIR
13 AND REASONABLE RATE;

14 (5) INCARCERATED INDIVIDUALS SHALL BE PROVIDED WITH
15 TRAINING OPPORTUNITIES THAT REFLECT MARYLAND'S JOB MARKET AND TRENDS
16 IN EMERGING INDUSTRIES TO ENHANCE THE SUCCESS OF RETURNING CITIZENS;
17 AND

18 (6) TO THE EXTENT PRACTICABLE, THE DEPARTMENT SHALL SEEK
19 OUT AND ENTER INTO PARTNERSHIPS THAT COMPLEMENT AND PROVIDE SUPPORT
20 TO RETURNING CITIZENS ON REENTRY.

21 (B) ON OR BEFORE OCTOBER 1 ANNUALLY BEGINNING IN 2021, THE
22 DEPARTMENT SHALL SUBMIT A REPORT IN ACCORDANCE WITH § 2-1257 OF THE
23 STATE GOVERNMENT ARTICLE TO THE SENATE JUDICIAL PROCEEDINGS
24 COMMITTEE AND THE HOUSE JUDICIARY COMMITTEE ON THE DEPARTMENT'S
25 EFFORTS TO ADHERE TO THE STANDARDS ESTABLISHED UNDER SUBSECTION (A) OF
26 THIS SECTION.

27 (C) THE DEPARTMENT SHALL:

28 (1) POST THE STANDARDS ESTABLISHED UNDER SUBSECTION (A) OF
29 THIS SECTION IN A PLACE ACCESSIBLE TO ALL INCARCERATED INDIVIDUALS; AND

30 (2) UPLOAD THE REPORT REQUIRED UNDER SUBSECTION (B) OF THIS
31 SECTION TO THE DEPARTMENT'S WEBSITE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor is requested and
2 encouraged to appropriate sufficient funds for each fiscal year beginning in fiscal year 2021
3 to implement the standards set forth in Section 1 of this Act.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2020.