

SENATE BILL 271

Unofficial Copy  
E4

2002 Regular Session  
2r1108  
CF 2r1107

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By: **Anne Arundel County Senators**  
Introduced and read first time: January 23, 2002  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 13, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Correctional Services - Local Correctional Facilities - Inmate Welfare Funds**

3 FOR the purpose of ~~establishing~~ authorizing the establishment of an inmate welfare  
4 fund in each local correctional facility; providing the authorized uses for the  
5 ~~fund funds~~; providing for the contents of the ~~fund funds~~; providing for  
6 expenditures from the ~~fund funds~~; defining a term; and generally relating to  
7 inmate welfare funds in local correctional facilities.

8 BY adding to

9 Article - Correctional Services  
10 Section 11-901 through 11-904, inclusive, to be under the new subtitle "Subtitle  
11 9. Inmate Welfare Funds"  
12 Annotated Code of Maryland  
13 (1999 Volume and 2001 Supplement)

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

16 **Article - Correctional Services**

17 **SUBTITLE 9. INMATE WELFARE FUNDS.**

18 11-901.

19 IN THIS SUBTITLE, "FUND" MEANS AN INMATE WELFARE FUND ESTABLISHED  
20 UNDER § 11-902 OF THIS SUBTITLE.

1 11-902.

2 (A) ~~THERE IS EACH LOCAL CORRECTIONAL FACILITY MAY ESTABLISH AN~~  
3 ~~INMATE WELFARE FUND IN EACH LOCAL CORRECTIONAL FACILITY.~~

4 (B) A FUND MAY BE USED ONLY FOR GOODS AND SERVICES THAT BENEFIT  
5 THE GENERAL INMATE POPULATION AS DEFINED BY REGULATIONS THAT THE  
6 ~~SECRETARY MANAGING OFFICIAL OF THE LOCAL CORRECTIONAL FACILITY~~ ADOPTS.

7 11-903.

8 (A) (1) EACH FUND IS A SPECIAL CONTINUING, NONLAPSING FUND ~~THAT IS~~  
9 ~~NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

10 (2) (I) EACH FUND CONSISTS OF:

11 1. PROFITS DERIVED FROM THE SALE OF GOODS THROUGH  
12 THE COMMISSARY OPERATION AND TELEPHONE AND VENDING MACHINE  
13 COMMISSIONS; AND

14 2. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
15 MONEY RECEIVED FROM OTHER SOURCES.

16 (II) MONEY FROM THE GENERAL FUND OF THE STATE OR COUNTY,  
17 INCLUDING ANY FEDERAL FUNDS, MAY NOT BE TRANSFERRED BY BUDGET  
18 AMENDMENT OR OTHERWISE TO A FUND.

19 (3) ~~THE TREASURER CHIEF FINANCIAL OFFICER FOR A COUNTY SHALL~~  
20 ~~SEPARATELY HOLD AND THE FINANCIAL OFFICER FOR EACH COUNTY SHALL~~  
21 ACCOUNT FOR EACH FUND IN THE COUNTY.

22 (4) ~~NOTHING CONTAINED IN THIS SECTION MAY NOT BE CONSTRUED~~  
23 TO:

24 (I) ~~PROHIBIT A PERIODIC OR SPECIAL AUDIT BY AN OFFICIAL~~  
25 ~~AUDITOR OF ANY COUNTY PROVIDING THE STATE, THE FEDERAL GOVERNMENT, OR~~  
26 A COUNTY THAT PROVIDES FUNDS FOR A LOCAL CORRECTIONAL FACILITY; OR

27 (II) AFFECT THE CALCULATION OF REIMBURSEMENT RATES, AS  
28 PROVIDED IN § 9-403 OF THIS ARTICLE.

29 (B) (1) EACH FUND SHALL BE INVESTED AND REINVESTED IN THE SAME  
30 MANNER AS OTHER COUNTY FUNDS.

31 (2) ANY INVESTMENT EARNINGS ~~ARE NOT A PART OF~~ OF A FUND SHALL  
32 BE CREDITED TO THE FUND.

1 11-904.

2 THE ~~COUNTY FINANCIAL OFFICER~~ CHIEF FINANCIAL OFFICER FOR THE  
3 COUNTY SHALL PAY OUT MONEY FROM EACH FUND AS APPROVED IN THE COUNTY  
4 BUDGET.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2002.