

SENATE BILL 395

E3

3lr1434

By: **Senator Zirkin**

Introduced and read first time: January 28, 2013

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Services – State–Licensed Facilities – Size Limit Exception – Repeal**

3 FOR the purpose of altering an exception that allows a committed facility licensed by
4 the Department of Juvenile Services to serve more than a certain number of
5 children at one time under certain circumstances; and generally relating to
6 State–licensed juvenile facilities.

7 BY repealing and reenacting, with amendments,
8 Article – Human Services
9 Section 9–238.1(a)
10 Annotated Code of Maryland
11 (2007 Volume and 2012 Supplement)

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

14 **Article – Human Services**

15 9–238.1.

16 (a) The Department shall serve children in the juvenile services system with
17 programming that:

18 (1) ensures the safety of the community and the children served;

19 (2) holds delinquent children accountable to victims and communities;

20 (3) assists children to develop competencies to become successful
21 members of society;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) delivers services on a regional basis through at least four
2 operational regions;

3 (5) [(i)] **EXCEPT AS PROVIDED IN ITEM (6) OF THIS SUBSECTION,**
4 ensures that each committed facility owned **OR LICENSED** by the Department serves
5 no more than 48 children at one time; [and

6 (ii) ensures that each committed facility licensed by the
7 Department serves no more than 48 children at one time, unless the Secretary finds
8 good cause for a committed facility licensed by the Department to serve more than 48
9 children at one time; and]

10 **(6) IF THE SECRETARY FINDS GOOD CAUSE FOR A COMMITTED**
11 **FACILITY OWNED OR LICENSED BY THE DEPARTMENT TO SERVE MORE THAN**
12 **THE NUMBER OF CHILDREN AUTHORIZED TO BE SERVED AT ONE TIME, ALLOWS**
13 **THE COMMITTED FACILITY, UNTIL JUNE 30, 2017, TO SERVE UP TO 10% MORE**
14 **CHILDREN THAN THE NUMBER AUTHORIZED; AND**

15 [(6)] (7) uses detention and committed facilities that are
16 operationally separate from each other and that do not share common program space,
17 including dining halls and educational or recreational facilities.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2013.