

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1313
Judiciary

(Delegate Haynes, *et al.*)

Local Correctional Facilities - Prerelease and Work Release Programs -
Assessment of Fees

This bill prohibits the assessment of a fee for an inmate's participation in a prerelease or work release program at a local correctional facility. The bill's provisions may not be construed to prohibit the assessment of a fee or a deduction from the inmate's earnings for the cost of food, lodging, travel, fines and costs imposed by the court, amounts that the inmate is obligated to pay for support of a dependent, or court-ordered payments for restitution. In addition, the bill repeals the specific authorizations for fees to be charged in Anne Arundel and Washington counties for participation in specified programs.

Fiscal Summary

State Effect: None.

Local Effect: Local revenues decrease in Anne Arundel and Washington counties. Local expenditures are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Current Law: The following jurisdictions administer (or are authorized to administer) a prerelease and/or work release program: Allegany; Anne Arundel; Baltimore; Calvert; Carroll; Dorchester; Frederick; Garrett; Harford; Howard; Kent; Montgomery; Prince George's; St. Mary's; Washington; and Wicomico counties. The State has a pretrial

release and work release program, overseen by the Department of Public Safety and Correctional Services, that operates in Baltimore City.

Under provisions relating to a work release, training, and rehabilitation program in Anne Arundel County, the administrator of the county's correctional facilities is authorized to deduct a reasonable fee from the earnings of each inmate participating in the program or waive or reduce the fee. In Washington County, the sheriff is authorized to collect a reasonable fee from each inmate participating in a home detention, work release, or pretrial release program or waive or reduce the fee.

Local Revenues: Local revenues decrease in Anne Arundel and Washington counties due to the bill's changes. Washington County advises that repealing the authorization for the county to collect a fee from each inmate participating in a home detention, work release, or pretrial release program in the county reduces local revenues by approximately \$45,000 in fiscal 2019, increasing to approximately \$65,000 in fiscal 2023. Anne Arundel County did not provide a response to a request for information regarding the fiscal effect of the bill in time for inclusion in this fiscal and policy note.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Harford, Montgomery, Prince George's, St. Mary's, and Washington counties; Maryland Association of Counties; Department of Legislative Services

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