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Governor

ARUNA MILLER
Lieutenant Governor



YAAKOV "JAKE" WEISSMANN
Acting Secretary

MARC L. NICOLE
Deputy Secretary

TITLE: HB194 Incarcerated Job Training Act

DATE: February 5th 2026

COMMITTEE: Government, Labor, and Elections

POSITION: Letter of Concern

SUMMARY OF BILL: The Incarcerated Job Training Act (HB0194) seeks to establish a structured skilled trades apprenticeship program within the Department of Public Safety and Correctional Services (DPSCS)

EXPLANATION: The Department warns that the biggest hurdle involves a direct conflict with existing state employment protocols and personnel classifications. Under current regulations, all registered apprenticeship programs must use full-time, regular State positions. Because incarcerated individuals are legally ineligible for full-time regular employment status, the Department would be forced to create a policy exception to permit "contractual apprenticeships," a category not currently recognized or permitted within the State Personnel Management System. Even if such an exception were established, the program would immediately encounter legal challenges regarding collective bargaining agreements. The majority of skilled trade classifications in Maryland are governed by the AFSCME Memorandum of Understanding, which strictly prohibits hiring contractual staff for bargaining unit roles. Consequently, the State would likely be required to engage in supplemental negotiations with the union to bypass these contractual restrictions, as the program cannot be implemented for most state agencies under the existing labor agreement.

The fiscal and logistical responsibility for participant care presents a unique challenge for state agencies. Under Section 3-905(b) of the bill, any hiring entity, including executive branch agencies, is mandated to cover all expenses related to the "care and custody" of the incarcerated apprentice. This includes not only standard wages but also specific costs for security, specialized transportation, lodging, feeding, and medical care throughout the apprenticeship. The Department notes that most state agencies currently lack the internal expertise or staff capacity to

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manage correctional security or provide the necessary transportation and oversight for incarcerated individuals. Consequently, agencies would likely be forced to issue complex Requests for Proposals (RFPs) to secure third-party vendors for these services, leading to indeterminate and potentially significant operational costs that are not currently accounted for in existing agency budgets.

The Department of Budget and Management (DBM) is charged with submitting a balanced budget to the General Assembly annually and will be working with the General Assembly to achieve structural balance over the long term. This mission is further complicated by significant uncertainty regarding federal uncertainty in both policy and budgetary senses, which requires the State to maintain a higher degree of fiscal resilience. In light of current projected general fund deficits in fiscal 2027 and beyond, the Department urges caution in passing legislation that significantly increases expenditures without commensurate decreases in other areas. In light of the current fiscal crisis, the state government must be disciplined and strategic in its funding decisions to protect essential services. Any legislation that increases spending should include specific, identified, and sustainable funding offsets.

Given the forecasted out-year deficits as well as significant uncertainty regarding the federal budget and policy changes, it would be challenging for the State to manage this increase in spending. This challenge is compounded by major, unforeseen changes in federal policy and other ongoing budgetary pressures. The Department of Budget and Management (DBM) now forecasts significant shortfalls beginning in Fiscal Year 2026 and escalating dramatically into Fiscal Year 2027.

**For additional information, contact Dana Phillips at
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