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**By: Delegate C. Mitchell**

Introduced and read first time: January 22, 1997

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **State Correctional Facilities - Privatization of Operations**

3 FOR the purpose of prohibiting the Division of Correction of the Department of Public  
4 Safety and Correctional Services from contracting with a private contractor or  
5 private vendor for the provision of services relating to the operation of a State  
6 correctional facility or the incarceration of persons in the custody of the Division;  
7 allowing the Division to enter into contracts with private contractors or vendors for  
8 certain operations or services; and generally relating to correctional facilities of the  
9 Division of Correction of the Department of Public Safety and Correctional  
10 Services.

11 BY adding to

12 Article 41 - Governor - Executive and Administrative Departments  
13 Section 4-105.1  
14 Annotated Code of Maryland  
15 (1993 Replacement Volume and 1996 Supplement)

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

18 **Article 41 - Governor - Executive and Administrative Departments**

19 4-105.1.

20 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE DIVISION  
21 OF CORRECTION OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL  
22 SERVICES MAY NOT CONTRACT WITH A PRIVATE CONTRACTOR OR PRIVATE  
23 VENDOR FOR THE PROVISION OF SERVICES RELATING TO THE OPERATION OF A  
24 STATE CORRECTIONAL FACILITY OR THE INCARCERATION OF PERSONS IN THE  
25 CUSTODY OF THE DIVISION.

26 (B) THE DIVISION OF CORRECTION OF THE DEPARTMENT OF PUBLIC SAFETY  
27 AND CORRECTIONAL SERVICES MAY CONTRACT WITH A PRIVATE CONTRACTOR OR  
28 PRIVATE VENDOR FOR:

29 (1) OPERATIONS OF PRE-RELEASE FACILITIES AND UNITS THAT ARE  
30 PART OF THE MARYLAND CORRECTIONAL PRE-RELEASE SYSTEM;

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1                   (2) ANCILLARY SERVICES, INCLUDING MEDICAL SERVICES,  
2 EDUCATIONAL SERVICES, AND REPAIR AND MAINTENANCE CONTRACTS;

3                   (3) OTHER SERVICES NOT DIRECTLY RELATED TO THE OWNERSHIP,  
4 MANAGEMENT, OR OPERATION OF SECURITY SERVICES IN A CORRECTIONAL  
5 FACILITY; OR

6                   (4) OPERATIONS OF RESIDENTIAL FACILITIES FOR YOUTH COMMITTED  
7 TO THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE.

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 1997.