
By: Delegates Nathan-Pulliam, Marriott, C. Davis, Parker, and E. Burns

Introduced and read first time: January 27, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers - Private Firms - Training Requirements**

3 FOR the purpose of broadening the application of the term "correctional officer" in
4 provisions relating to the Correctional Training Commission to include employees
5 of private contractors or vendors who perform certain correctional duties; requiring
6 these employees to meet the same training requirements that are set for
7 governmental correctional officers by the Correctional Training Commission;
8 clarifying a certain requirement for meeting certain qualifications set by the
9 Correctional Training Commission; and generally relating to training requirements
10 for correctional officers.

11 BY repealing and reenacting, without amendments,
12 Article 41 - Governor - Executive and Administrative Departments
13 Section 4-301(b)(2) and (4)
14 Annotated Code of Maryland
15 (1993 Replacement Volume and 1996 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article 41 - Governor - Executive and Administrative Departments
18 Section 4-301(b)(7) and (g)
19 Annotated Code of Maryland
20 (1993 Replacement Volume and 1996 Supplement)

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

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

24 4-301.

25 (b) As used in this section:

26 (2) "Commission" means the Correctional Training Commission or officers
27 or employees thereof acting on its behalf.

28 (4) A "correctional unit" means any governmental organization or activity of
29 the State, any county, or any municipality which has by statute, ordinance, or court order
30 the responsibility for the care, control and supervision of inmates in correctional

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1 institutions, for persons declared to be parolees or for persons placed on probation or
2 suspension of sentence. However, the term "correctional unit" does not include the
3 Department of Juvenile Justice.

4 (7) A "correctional officer" means a member of a correctional unit, as
5 defined in this section, OR AN EMPLOYEE OF A PRIVATE CONTRACTOR OR VENDOR,
6 who is charged with and actually performs those duties that relate to the investigation,
7 care, custody, control or supervision of persons confined to places of incarceration.

8 The term "correctional officer" does not include any person serving as such solely
9 by virtue of his occupying any other office or position, nor does the term include the head
10 or deputy head of any correctional unit, any sheriff, warden, superintendent or any
11 person having any equivalent title who is appointed or employed by a government to
12 exercise equivalent supervisory authority.

13 (g) [On or after July 1, 1976, no person shall hereafter be given or accept] A
14 PERSON MAY NOT ACCEPT OR BE GIVEN a probationary or permanent appointment as
15 a correctional officer, a correctional supervisor, or a correctional administrator, as
16 defined in this section, unless [such] THE person satisfactorily meets minimum
17 qualifications as may be determined by the Commission.

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