
By: **Delegates Nathan-Pulliam, Jones, and Marriott**
Introduced and read first time: February 13, 1998
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
5 employees of private contractors or vendors who perform certain correctional
6 duties; requiring these employees to meet the same training requirements that
7 are set for governmental correctional officers by the Correctional Training
8 Commission or by a training program approved by the Commission; clarifying a
9 certain requirement for meeting certain qualifications set by the Correctional
10 Training Commission; and generally relating to training requirements for
11 correctional officers.

12 BY repealing and reenacting, without amendments,
13 Article 41 - Governor - Executive and Administrative Departments
14 Section 4-301(b)(2) and (4)
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1997 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article 41 - Governor - Executive and Administrative Departments
19 Section 4-301(b)(7) and (g)
20 Annotated Code of Maryland
21 (1997 Replacement Volume and 1997 Supplement)

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

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

25 4-301.

26 (b) As used in this section:

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

1 (4) A "correctional unit" means any governmental organization or
2 activity of the State, any county, or any municipality which has by statute, ordinance,
3 or court order the responsibility for the care, control and supervision of inmates in
4 correctional institutions, for persons declared to be parolees or for persons placed on
5 probation or suspension of sentence. However, the term "correctional unit" does not
6 include the Department of Juvenile Justice.

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

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

17 (g) [On or after July 1, 1976, no person shall hereafter be given or accept] A
18 PERSON MAY NOT ACCEPT OR BE GIVEN a probationary or permanent appointment as
19 a correctional officer, a correctional supervisor, or a correctional administrator, as
20 defined in this section, unless [such] THE person satisfactorily meets minimum
21 qualifications as may be determined by the Commission OR BY A TRAINING PROGRAM
22 APPROVED BY THE COMMISSION.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1998.