

---

By: **Delegates Nathan-Pulliam, Jones, and Marriott**  
Introduced and read first time: February 13, 1998  
Assigned to: Judiciary

---

Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 27, 1998

---

CHAPTER\_\_\_\_\_

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; providing for the application of this Act; and generally  
11 relating to training requirements for 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:

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

2 4-301.

3 (b) As used in this section:

4 (2) "Commission" means the Correctional Training Commission or  
5 officers or employees thereof acting on its behalf.6 (4) A "correctional unit" means any governmental organization or  
7 activity of the State, any county, or any municipality which has by statute, ordinance,  
8 or court order the responsibility for the care, control and supervision of inmates in  
9 correctional institutions, for persons declared to be parolees or for persons placed on  
10 probation or suspension of sentence. However, the term "correctional unit" does not  
11 include the Department of Juvenile Justice.12 (7) A "correctional officer" means a member of a correctional unit, as  
13 defined in this section, **OR AN EMPLOYEE OF A PRIVATE CONTRACTOR OR VENDOR,**  
14 who is charged with and actually performs those duties that relate to the  
15 investigation, care, custody, control or supervision of persons confined to places of  
16 incarceration.17 The term "correctional officer" does not include any person serving as such  
18 solely by virtue of his occupying any other office or position, nor does the term include  
19 the head or deputy head of any correctional unit, any sheriff, warden, superintendent  
20 or any person having any equivalent title who is appointed or employed by a  
21 government to exercise equivalent supervisory authority.22 (g) [On or after July 1, 1976, no person shall hereafter be given or accept] A  
23 **PERSON MAY NOT ACCEPT OR BE GIVEN** a probationary or permanent appointment as  
24 a correctional officer, a correctional supervisor, or a correctional administrator, as  
25 defined in this section, unless [such] **THE** person satisfactorily meets minimum  
26 qualifications as may be determined by the Commission **OR BY A TRAINING PROGRAM**  
27 **APPROVED BY THE COMMISSION.**28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only  
29 to employees of a private contractor or vendor under a contract for services entered  
30 into, extended, or renewed on or after October 1, 1998.31 ~~SECTION 2. 3.~~ **AND BE IT FURTHER ENACTED, That this Act shall take**  
32 **effect October 1, 1998.**

