
By: **Delegate C. Mitchell**

Introduced and read first time: February 16, 1998

Assigned to: Rules and Executive Nominations

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
7 Division; allowing the Division to enter into contracts with private contractors
8 or vendors for certain operations or services; and generally relating to
9 correctional facilities of the Division of Correction of the Department of Public
10 Safety and Correctional Services.

11 BY adding to

12 Article 41 - Governor - Executive and Administrative Departments

13 Section 4-105.1

14 Annotated Code of Maryland

15 (1997 Replacement Volume and 1997 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 VENDOR
23 FOR THE PROVISION OF SERVICES RELATING TO THE OPERATION OF A STATE
24 CORRECTIONAL FACILITY OR THE INCARCERATION OF PERSONS IN THE CUSTODY OF
25 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:

1 (1) OPERATIONS OF PRERELEASE FACILITIES AND UNITS THAT ARE
2 PART OF THE MARYLAND CORRECTIONAL PRERELEASE SYSTEM;

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

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

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

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