

SENATE BILL 271

Unofficial Copy
E4

2002 Regular Session
2lr1108
CF 2lr1107

By: **Anne Arundel County Senators**
Introduced and read first time: January 23, 2002
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services - Local Correctional Facilities - Inmate Welfare Funds**

3 FOR the purpose of establishing an inmate welfare fund in each local correctional
4 facility; providing the authorized uses for the fund; providing for the contents of
5 the fund; providing for expenditures from the fund; defining a term; and
6 generally relating to inmate welfare funds in local correctional facilities.

7 BY adding to

8 Article - Correctional Services

9 Section 11-901 through 11-904, inclusive, to be under the new subtitle "Subtitle

10 9. Inmate Welfare Funds"

11 Annotated Code of Maryland

12 (1999 Volume and 2001 Supplement)

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

15 **Article - Correctional Services**

16 **SUBTITLE 9. INMATE WELFARE FUNDS.**

17 11-901.

18 IN THIS SUBTITLE, "FUND" MEANS AN INMATE WELFARE FUND ESTABLISHED
19 UNDER § 11-902 OF THIS SUBTITLE.

20 11-902.

21 (A) THERE IS AN INMATE WELFARE FUND IN EACH LOCAL CORRECTIONAL
22 FACILITY.

23 (B) A FUND MAY BE USED ONLY FOR GOODS AND SERVICES THAT BENEFIT
24 THE GENERAL INMATE POPULATION AS DEFINED BY REGULATIONS THAT THE
25 SECRETARY ADOPTS.

1 11-903.

2 (A) (1) EACH FUND IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS
3 NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

4 (2) (I) EACH FUND CONSISTS OF:

5 1. PROFITS DERIVED FROM THE SALE OF GOODS THROUGH
6 THE COMMISSARY OPERATION AND TELEPHONE AND VENDING MACHINE
7 COMMISSIONS; AND

8 2. SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
9 MONEY RECEIVED FROM OTHER SOURCES.

10 (II) MONEY FROM THE GENERAL FUND OF THE STATE OR COUNTY
11 MAY NOT BE TRANSFERRED BY BUDGET AMENDMENT OR OTHERWISE TO A FUND.

12 (3) THE TREASURER SHALL SEPARATELY HOLD AND THE FINANCIAL
13 OFFICER FOR EACH COUNTY SHALL ACCOUNT FOR EACH FUND.

14 (4) NOTHING CONTAINED IN THIS SECTION MAY BE CONSTRUED TO
15 PROHIBIT A PERIODIC OR SPECIAL AUDIT BY AN OFFICIAL AUDITOR OF ANY COUNTY
16 PROVIDING FUNDS FOR A LOCAL CORRECTIONAL FACILITY.

17 (B) (1) EACH FUND SHALL BE INVESTED AND REINVESTED IN THE SAME
18 MANNER AS OTHER COUNTY FUNDS.

19 (2) ANY INVESTMENT EARNINGS ARE NOT A PART OF THE FUND.

20 11-904.

21 THE COUNTY FINANCIAL OFFICER SHALL PAY OUT MONEY FROM EACH FUND
22 AS APPROVED IN THE COUNTY BUDGET.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2002.