

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 39 (Chairman, Judicial Proceedings Committee)
(By Request – Departmental Public Safety and Correctional Services)

Judicial Proceedings

Judiciary

Public Safety and Correctional Services – Inmates Confined to State Correctional Facilities – Release Dates

This departmental bill provides that, when a date of release from confinement in a State correctional facility is a Saturday, Sunday, or legal holiday, an inmate must be released on the first preceding day that is not a Saturday, Sunday, or legal holiday. The bill also requires the Commissioner of Correction to adopt regulations establishing an inmate release plan to help identify resources to assist inmates following release, including provision of transportation from the facility.

Fiscal Summary

State Effect: The bill's changes would lead to some operational efficiencies for the Division of Correction with some potential attendant savings in overtime costs. The adoption of new regulations could be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: The Department of Public Safety and Correctional Services (DPSCS) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill).

Analysis

Current Law: Whenever a date of release from confinement in a State correctional facility is a Sunday or legal holiday, the inmate must be released on the preceding day.

Background: Under the existing statutory language, inmates with release dates of Sunday are released on Saturday. However, according to DPSCS, services involving transportation, accounting, property management, and bed assignment are available only during regular business hours Monday through Friday.

The bill's changes would not affect the release functions of the Division of Pretrial Detention and Services.

Additional Information

Prior Introductions: In 2003, a similar bill (SB 263) received an unfavorable report from the Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services,
Department of Legislative Services

Fiscal Note History: First Reader - January 15, 2004
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