
By: **Chairman, Judiciary Committee (By Request - Departmental - Juvenile Services)**

Introduced and read first time: January 25, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Services - State Comprehensive Juvenile Justice 3-Year Plan**

3 FOR the purpose of altering the time frame from calendar year to fiscal year for
4 which the State Comprehensive Juvenile Justice 3-Year Plan is to be submitted
5 to the General Assembly; and generally relating to the State Comprehensive
6 Juvenile Justice 3-Year Plan.

7 BY repealing and reenacting, with amendments,
8 Article 83C - Juvenile Services
9 Section 2-104
10 Annotated Code of Maryland
11 (2003 Replacement Volume and 2005 Supplement)

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

14 **Article 83C - Juvenile Services**

15 2-104.

16 (a) The Secretary is responsible for the budget of the Department and for the
17 budget of each unit in the Department.

18 (b) (1) The Secretary may adopt rules and regulations to carry out the
19 provisions of law that are within the jurisdiction of the Secretary.

20 (2) The Secretary shall review and may revise the rules and regulations
21 of:

22 (i) Each unit in the Department that is authorized by law to adopt
23 rules and regulations; and

24 (ii) The Department.

1 (c) The Secretary may create any advisory council that the Secretary
2 considers necessary and assign appropriate functions to it.

3 (d) The Secretary shall have a seal.

4 (e) (1) The Secretary is responsible for the coordination and direction of all
5 planning that the office of the Secretary initiates.

6 (2) The Secretary shall keep fully apprised of plans, proposals, and
7 projects of each unit in the Department and, except as expressly provided otherwise,
8 may approve, disapprove, or modify any of them.

9 (3) (i) Prior to January 1, 1990, the Secretary shall develop a State
10 Comprehensive Juvenile Justice 3-Year Plan. The Plan shall:

11 1. Include an inventory of all in-day treatment programs
12 and residential care programs and an accounting of the residence of all clients;

13 2. Set out the needs of the various areas of services for clients
14 including alcohol and drug abuse rehabilitation services;

15 3. Establish priorities for the different services needed;

16 4. Set standards for the quality of residential services and
17 outreach services;

18 5. Include a program dedicated to reducing recidivism rates
19 of clients; and

20 6. Include any other matters that the Secretary deems
21 appropriate.

22 (ii) The Plan shall be revised for each subsequent [calendar]
23 FISCAL year and shall be submitted, subject to § 2-1246 of the State Government
24 Article, to the General Assembly by February 1 of each year.

25 (f) Each unit in the Department shall report to the Secretary as provided in
26 the rules, regulations, or written directives that the Secretary adopts.

27 (g) Except as expressly provided otherwise, the Secretary may transfer, by
28 rule, regulation, or written directive, any function, staff, or funds from any unit in the
29 Department to the office of the Secretary or another unit in the Department. Any staff
30 transferred to the office of the Secretary shall be provided space, equipment, and
31 services by the unit from which it was transferred, unless the Secretary orders
32 removal to another location for the proper and efficient functioning of that office.

33 (h) The Secretary may apply for, receive, and spend grants-in-aid by the
34 federal government or any of its agencies or any other federal funds made available to
35 the Department for use in carrying out the powers and duties of the Secretary or the
36 Department.

1 (i) (1) Except as otherwise provided by law, the Secretary shall pay all
2 money collected by the Department under this article into the General Fund of the
3 State.

4 (2) (i) With the approval of the Secretary of Budget and Management,
5 the Department shall accept, on behalf of this State, a conditional or unconditional
6 gift or grant.

7 (ii) The Department shall pay all funds collected under
8 subparagraph (i) of this paragraph into a special fund of the State Treasury and use
9 the special fund to carry out the provisions of this article.

10 (j) The Secretary shall carry out and enforce the provisions of this article, the
11 rules and regulations of the Department, and any other provisions of law that relate
12 to the Secretary or the Department.

13 (k) The Secretary is responsible for the development, implementation, and
14 maintenance of a comprehensive client information system, including an individual
15 current record on each child, that is integrated in and accessible to the various
16 segments of the Department. The Secretary shall undertake efforts to link the system
17 to the Department of Health and Mental Hygiene and the Department of Human
18 Resources for the purpose of allowing the exchange of information on clients being
19 served by each department. Employees using the information shall protect the
20 confidentiality of client records.

21 (l) The Department shall be subject to State finance and procurement laws
22 under the State Finance and Procurement Article.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
24 effect July 1, 2006.