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

Introduced and read first time: January 25, 2006

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 21, 2006

CHAPTER _____

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.

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

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

5 (ii) The Department.

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

8 (d) The Secretary shall have a seal.

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

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

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

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

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

20 3. Establish priorities for the different services needed;

21 4. Set standards for the quality of residential services and
22 outreach services;

23 5. Include a program dedicated to reducing recidivism rates
24 of clients; and

25 6. Include any other matters that the Secretary deems
26 appropriate.

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

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

32 (g) Except as expressly provided otherwise, the Secretary may transfer, by
33 rule, regulation, or written directive, any function, staff, or funds from any unit in the
34 Department to the office of the Secretary or another unit in the Department. Any staff
35 transferred to the office of the Secretary shall be provided space, equipment, and

1 services by the unit from which it was transferred, unless the Secretary orders
2 removal to another location for the proper and efficient functioning of that office.

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

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

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

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

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

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

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

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