

SENATE BILL 26

E2, E4

8lr0949

(PRE-FILED)

By: **Senator Simonaire**

Requested: October 24, 2007

Introduced and read first time: January 9, 2008

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study the Commitment of Sexually Violent Predators to**
3 **Facilities of the Department of Health and Mental Hygiene**

4 FOR the purpose of establishing the Task Force to Study the Commitment of Sexually
5 Violent Predators to Facilities of the Department of Health and Mental
6 Hygiene; providing for the membership of the Task Force; requiring certain
7 members of the Task Force to represent geographic, ethnic, and cultural
8 differences in the State to the extent possible; requiring the President of the
9 Senate and the Speaker of the House to jointly designate a chair of the Task
10 Force; requiring the Department of Legislative Services to staff the Task Force;
11 authorizing the Task Force to request assistance and staffing from other State
12 agencies; prohibiting a member of the Task Force from receiving compensation
13 as a member of the Task Force; authorizing a member of the Task Force to
14 receive reimbursement for expenses; establishing the duties of the Task Force to
15 review and evaluate other states' programs and make certain recommendations
16 relating to the commitment of sexually violent predators to facilities of the
17 Department of Health and Mental Hygiene; requiring the Task Force to submit
18 a certain report to the Governor and the General Assembly on or before a
19 certain date; providing for the termination of this Act; and generally relating to
20 the Task Force to Study the Commitment of Sexually Violent Predators to
21 Facilities of the Department of Health and Mental Hygiene.

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That:

24 (a) There is a Task Force to Study the Commitment of Sexually Violent
25 Predators to Facilities of the Department of Health and Mental Hygiene.

26 (b) (1) The Task Force consists of the following members:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (i) two members of the Senate of Maryland, appointed by the
2 President of the Senate;
- 3 (ii) two members of the House of Delegates, appointed by the
4 Speaker of the House;
- 5 (iii) the Maryland Attorney General, or the Attorney General's
6 designee;
- 7 (iv) the Secretary of Public Safety and Correctional Services, or
8 the Secretary's designee;
- 9 (v) the Secretary of Health and Mental Hygiene, or the
10 Secretary's designee;
- 11 (vi) the Secretary of State Police, or the Secretary's designee;
- 12 (vii) the Maryland Public Defender, or the Public Defender's
13 designee;
- 14 (viii) the State Court Administrator, or the Administrator's
15 designee; and
- 16 (ix) the following members appointed by the Governor:
- 17 1. one representative of the Division of Parole and
18 Probation;
- 19 2. one representative of the Governor's Office of Crime
20 Control and Prevention;
- 21 3. one representative of the Maryland State's Attorney's
22 Association;
- 23 4. one representative of a children's advocacy
24 organization; and
- 25 5. one representative of a women's advocacy
26 organization.
- 27 (2) The members of the Task Force appointed by the Governor under
28 paragraph (1)(ix) of this subsection shall represent geographic, ethnic, and cultural
29 differences in the State to the extent possible.
- 30 (c) The President of the Senate and the Speaker of the House shall jointly
31 designate the chair of the Task Force.

1 (d) (1) The Department of Legislative Services shall provide staff for the
2 Task Force.

3 (2) The Task Force may request additional assistance and staffing
4 from any other State agency the members consider appropriate.

5 (e) A member of the Task Force:

6 (1) may not receive compensation as a member of the Task Force; but

7 (2) is entitled to reimbursement for expenses under the Standard
8 State Travel Regulations, as provided in the State budget.

9 (f) The Task Force shall:

10 (1) review and evaluate other states' programs of civilly committing
11 sexual offenders on completion of a criminal sentence;

12 (2) make recommendations on how Maryland could best implement a
13 program for committing sexually violent predators to facilities of the Department of
14 Health and Mental Hygiene on completion of a criminal sentence;

15 (3) make recommendations on how to reduce the costs associated with
16 committing sexually violent predators to facilities of the Department of Health and
17 Mental Hygiene on completion of a criminal sentence; and

18 (4) make recommendations, including associated benefits,
19 disadvantages, and cost projections, of options for implementing a limited program, a
20 phased-in program, and a fully implemented program of committing sexually violent
21 predators to facilities of the Department of Health and Mental Hygiene on completion
22 of a criminal sentence.

23 (g) On or before December 1, 2008, the Task Force shall report its findings
24 and recommendations to the Governor and, in accordance with § 2-1246 of the State
25 Government Article, the General Assembly.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 June 1, 2008. It shall remain effective for a period of 7 months and, at the end of
28 December 31, 2008, with no further action required by the General Assembly, this Act
29 shall be abrogated and of no further force and effect.