

SENATE BILL 145

E4

8lr0188

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 18, 2008

Rules suspended

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Maryland Correctional Enterprises – Goods and**
3 **Services**

4 FOR the purpose of removing the prohibition against the sale of services by Maryland
5 Correctional Enterprises; authorizing sales of goods of Maryland Correctional
6 Enterprises to certain individuals; and generally relating to Maryland
7 Correctional Enterprises and goods and services.

8 BY repealing and reenacting, with amendments,
9 Article – Correctional Services
10 Section 3–516(a) and (b)
11 Annotated Code of Maryland
12 (1999 Volume and 2007 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 3–516.

17 (a) Except as authorized under subsection (b) of this section, goods [and
18 services] of Maryland Correctional Enterprises may not be sold on the open market.

19 (b) Goods [and services] of Maryland Correctional Enterprises may be sold
20 on the open market:

21 (1) if they are produced or provided by an individual on parole or in a
22 work release program;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) if the sale is made to a charitable, civic, educational, fraternal, or
2 religious agency, association, or institution for its own use and not for resale within 1
3 year of the purchase;

4 (3) to a person for national defense purposes if not prohibited by an act
5 of Congress;

6 (4) if they are surplus goods remaining after meeting the forecasted
7 requirements of units of State government and political subdivisions and the goods
8 remain unsold 1 year after being produced;

9 (5) for use by a contractor or subcontractor in performance of a
10 contract with a unit of State government or any other governmental unit in the State;

11 (6) as allowed under the Private Sector/Prison Industry Enhancement
12 Certification Program of the United States Department of Justice, Bureau of Justice
13 Assistance; [or]

14 (7) if they are related to the preparation or distribution of food or
15 services related to agriculture or seafood processing, when the following conditions are
16 met:

17 (i) the State labor pools are diminished; and

18 (ii) it has been determined that inmate labor is the available
19 source; **OR**

20 **(8) TO AN INDIVIDUAL EMPLOYED BY THE STATE OR A**
21 **STATE-AIDED OR STATE-CONTROLLED ENTITY.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2008.