

CHAPTER 291

(House Bill 706)

AN ACT concerning

Department of Juvenile Services – Youth Welfare Funds

FOR the purpose of establishing youth welfare funds in Department of Juvenile Services facilities; providing for the contents and uses of youth welfare funds; requiring the Comptroller to account for and distribute youth welfare funds under certain circumstances; prohibiting certain money from being transferred into a fund; providing that a fund is subject to an audit under certain circumstances; defining a certain term; and generally relating to youth welfare funds.

BY adding to

Article – Human Services
Section 9–246
Annotated Code of Maryland
(2007 Volume)

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

Article – Human Services

9–246.

(A) IN THIS SECTION, “FUND” MEANS A YOUTH WELFARE FUND.

(B) (1) THERE IS A YOUTH WELFARE FUND IN EACH FACILITY OF THE DEPARTMENT OF JUVENILE SERVICES.

(2) A FUND SHALL BE USED FOR GOODS AND SERVICES THAT BENEFIT THE GENERAL YOUTH POPULATION IN THE FACILITY.

(C) (1) EACH FUND IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) EACH FUND CONSISTS OF:

(I) PROFITS DERIVED FROM THE SALE OF GOODS THROUGH THE COMMISSARY OPERATION AND TELEPHONE AND VENDING MACHINE COMMISSIONS FOR THE FACILITY; AND

(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, MONEY RECEIVED FROM OTHER SOURCES.

(3) MONEY FROM THE GENERAL FUND OF THE STATE MAY NOT BE TRANSFERRED BY BUDGET AMENDMENT OR OTHER MANNER TO A FUND.

(D) (1) THE TREASURER SHALL HOLD EACH FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR EACH FUND.

(2) EACH FUND IS SUBJECT TO AN AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS UNDER § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

(3) (I) EACH FUND SHALL BE INVESTED AND REINVESTED IN THE SAME MANNER AS OTHER STATE FUNDS.

(II) ANY INVESTMENT EARNINGS ARE NOT A PART OF THE FUND.

(E) THE COMPTROLLER SHALL PAY OUT MONEY FROM EACH FUND AS APPROPRIATED IN THE STATE BUDGET.

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

Approved by the Governor, April 24, 2008.