

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

House Bill 132

(Chair, Judiciary Committee)(By Request - Departmental
- Public Safety and Correctional Services)

Judiciary

**Department of Public Safety and Correctional Services - Secretary - Acting
Capacity**

This departmental bill requires the Secretary of Public Safety and Correctional Services to designate one of the following members of the Secretary's executive staff as acting secretary when the Secretary is out of state or otherwise unavailable: a deputy secretary, an assistant secretary, the Commissioner of Correction, the Commissioner of Pretrial Detention and Services, or the Director of the Division of Parole and Probation. The bill repeals the provision whereby the Secretary must designate a deputy secretary under such circumstances.

Fiscal Summary

State Effect: None. While the bill may allow some operational efficiencies for the department, there is no fiscal impact.

Local Effect: None.

Small Business Effect: The Department of Public Safety and Correctional Services (DPSCS) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: The Secretary of Public Safety and Correctional Services must designate a deputy secretary as acting secretary when the Secretary is out of state or otherwise unavailable.

Background: DPSCS has two deputy secretary positions (one is vacant) and two assistant secretaries. The agency reports that the current provision has created difficulties whenever the deputy secretaries are (or are scheduled to be) out of state or unavailable at the same time as the Secretary.

Additional Information

Prior Introductions: HB 118 of 2010 received an unfavorable report from the House Judiciary Committee.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services, Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2011
mc/hlb

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Department of Public Safety and Correctional Services – Secretary –
Acting Capacity

BILL NUMBER: HB 132

PREPARED BY: Department of Public Safety and Correctional Services

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.