

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

House Bill 197

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

Judiciary

Judicial Proceedings

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**Department of Public Safety and Correctional Services - Representation on  
Boards, Commissions, and Councils**

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This departmental bill alters the Department of Public Safety and Correctional Services (DPSCS) representation on the Correctional Training Commission, the Sexual Offender Advisory Board, and the State Drug Abuse and Alcohol Council.

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**Fiscal Summary**

**State Effect:** None. The bill is organizational in nature and State finances are not affected.

**Local Effect:** None.

**Small Business Effect:** DPSCS has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Bill Summary:** The bill specifies changes to the affected entities as follows:

- that DPSCS membership on the Correctional Training Commission consist of a department representative designated by the Secretary and a deputy secretary instead of the Director of the Division of Parole and Probation and the Commissioner of Correction;

- that DPSCS membership on the Sexual Offender Advisory Board consist of a department representative designated by the Secretary instead of the Director of the Division of Parole and Probation; and
- that DPSCS membership on the State Drug and Alcohol Abuse Council in the Office of the Governor consist of a department representative designated by the Secretary and a deputy secretary instead of the Director of the Division of Parole and Probation and the Assistant Secretary for Treatment Services.

**Current Law:** The Maryland Police and Correctional Training commissions, a unit within DPSCS, are the primary providers of correctional entrance level training, and mandated police and correctional administrator, supervisor, and instructor training in Maryland.

The Sexual Offender Advisory Board, created initially in 2006, has several specified reporting requirements which includes (1) the review of technology for the tracking of offenders; (2) reviewing the effectiveness of the State's laws concerning sex offenders; (3) reviewing the laws of other jurisdictions regarding sex offenders; (4) reviewing practices and procedures of the Parole Commission and the Division of Parole and Probation regarding supervision and monitoring of sex offenders; (5) reviewing developments in the treatment and assessment of sex offenders; and (6) developing standards for conditions of lifetime supervision based on current and evolving best practices in the field of sex offender management. The board's duties also include developing criteria for measuring a person's risk of reoffending, studying the issue of civil commitment of sexual offenders, and considering ways to increase cooperation among states with regard to sexual offender registration and monitoring.

The Maryland State Drug and Alcohol Abuse Council was authorized by the Governor through executive order in 2004, reissued in 2008, as part of a comprehensive strategy to coordinate substance abuse prevention, intervention, and treatment services, and improve the criminal justice and correctional systems' links to these services.

The council prepares and annually updates a two-year strategic plan that identifies priorities for the delivery and funding of services in the State. Other responsibilities include identifying potential funding sources and disseminating information about these funding opportunities to the local drug and alcohol abuse councils; identifying promising practices in substance abuse prevention, intervention, and treatment; conducting annual surveys of federal and State funds used in Maryland for substance abuse prevention, intervention, and treatment; identifying emerging needs; determining emerging needs; and serving as a repository for studies and evaluations of State and local programs.

**Background:** DPSCS advises that the bill is intended to more readily accommodate a major reorganization of the department already underway and expected to be accomplished over the course of the next 6 to 12 months. The department announced the reorganization at the end of calendar 2011. The reorganization is expected to be completed by the end of September 2012. Additional legislation will be introduced during the 2012 session granting a newly created Deputy Secretary of Operations, in addition to the Secretary, the authority to exercise any power, duty, responsibility, or function of any unit, unit head, or appointing officer in the department.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 3, 2012  
ncs/hlb

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## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Department of Public Safety and Correctional Services –  
Representation on Boards, Commissions, and Councils

BILL NUMBER: HB 197

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.