

HOUSE BILL 952

E4, P2

3lr2682
CF SB 782

By: Delegates Carter, Boteler, Braveboy, Cane, Carr, Conaway, Cullison, Fisher, Gutierrez, Haynes, Ivey, Jones, K. Kelly, McComas, McConkey, McDermott, A. Miller, W. Miller, Mitchell, Oaks, Pena-Melnyk, Proctor, B. Robinson, Simmons, Stukes, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, and Waldstreicher

Introduced and read first time: February 7, 2013

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Inmate Telephone Services – Contracts**

3 FOR the purpose of providing that inmate telephone services contracts are subject to
4 certain procurement laws; requiring the Department of Public Safety and
5 Correctional Services to award inmate telephone services contracts to the bidder
6 who submits the bid with the lowest cost to the telephone user; prohibiting the
7 Department from accepting or receiving telephone commissions in excess of the
8 Department’s reasonable operating cost for establishing and administering
9 telephone system services to inmates; providing for the application of this Act;
10 and generally relating to inmate telephone services.

11 BY adding to

12 Article – Correctional Services

13 Section 10–5A–01 to be under the new subtitle “Subtitle 5A. Inmate Telephone
14 Services”

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2012 Supplement)

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

19 **Article – Correctional Services**

20 **SUBTITLE 5A. INMATE TELEPHONE SERVICES.**

21 **10–5A–01.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, TELEPHONE**
2 **SERVICES CONTRACTS FOR INMATES IN STATE CORRECTIONAL FACILITIES**
3 **SHALL BE SUBJECT TO THE PROCUREMENT PROVISIONS AS SET FORTH IN**
4 **DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

5 **(B) THE DEPARTMENT SHALL AWARD INMATE TELEPHONE SERVICES**
6 **CONTRACTS BASED ON COMPETITIVE SEALED BIDS TO THE RESPONSIBLE**
7 **BIDDER WHO SUBMITS THE BID WITH THE LOWEST COST TO THE TELEPHONE**
8 **USER.**

9 **(C) THE DEPARTMENT SHALL NOT ACCEPT OR RECEIVE TELEPHONE**
10 **COMMISSIONS IN EXCESS OF THE DEPARTMENT'S REASONABLE OPERATING**
11 **COST FOR ESTABLISHING AND ADMINISTERING TELEPHONE SYSTEM SERVICES**
12 **PROVIDED TO INMATES IN STATE CORRECTIONAL FACILITIES.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only
14 to any new or renewal contract for inmate telephone services entered into on or after
15 October 1, 2013.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2013.