

HOUSE BILL 977

P4, E4, P3

5lr2444

By: **Delegates Anderson, Dumais, Morales, Valentino-Smith, and Vallario**

Introduced and read first time: February 13, 2015

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Correctional Officers' Bill of Rights – Investigatory File and Record of**
3 **Proceeding**

4 FOR the purpose of establishing that a certain investigatory file and record of a proceeding
5 are personnel records for purposes of the Public Information Act; and generally
6 relating to the State Correctional Officers' Bill of Rights.

7 BY repealing and reenacting, with amendments,
8 Article – Correctional Services
9 Section 10–903
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2014 Supplement)

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

14 **Article – Correctional Services**

15 10–903.

16 (a) Except as otherwise provided, the provisions of this subtitle supersede any
17 inconsistent provisions of any other State law, including § 11–106 of the State Personnel
18 and Pensions Article, that conflict with this subtitle to the extent of the conflict.

19 (b) This subtitle does not limit the authority of the appointing authority to
20 regulate the competent and effective operation and management of a State correctional
21 facility by reasonable means including the transfer and reassignment of employees if:

22 (1) that action is not punitive in nature; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) the appointing authority determines that action to be in the best
2 interests of the internal management of the correctional facility.

3 **(C) THE INVESTIGATORY FILE AND THE ENTIRE RECORD OF A PROCEEDING**
4 **UNDER THIS SUBTITLE ARE PERSONNEL RECORDS FOR PURPOSES OF THE PUBLIC**
5 **INFORMATION ACT.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2015.