

HOUSE BILL 459

F2, E4

(71r0427)

ENROLLED BILL

— *Economic Matters/ Education, Health, and Environmental Affairs and Finance* —

Introduced by **Delegates Queen, Barron, Cassilly, Dumais, Luedtke, McCray, Moon, Sanchez, Sydnor, B. Wilson, and K. Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Adult Correctional Institutions – Job Training and**
3 **Education**

4 FOR the purpose of requiring, *under certain circumstances and* subject to certain funding
5 recommendations, post-secondary education and workforce training programs
6 developed and recommended by the Correctional Education Council to provide
7 inmates in correctional institutions in the Division of Correction with the requisite
8 training, certifications, and experience to obtain careers in in-demand job sectors;
9 ~~requiring~~ *authorizing* the Justice Reinvestment Oversight Board to make a certain
10 recommendation relating to the distribution of certain savings; and generally
11 relating to post-secondary education and workforce training programs for the
12 Division of Correction.

13 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Article – Labor and Employment
2 Section 11–101, 11–901(a), 11–902(e), and 11–903
3 Annotated Code of Maryland
4 (2016 Replacement Volume)

5 BY repealing and reenacting, with amendments,
6 Article – Labor and Employment
7 Section 11–902(a)
8 Annotated Code of Maryland
9 (2016 Replacement Volume)

10 BY repealing and reenacting, without amendments,
11 Article – State Government
12 Section 9–3202
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2016 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – State Government
17 Section 9–3207(b)
18 Annotated Code of Maryland
19 (2014 Replacement Volume and 2016 Supplement)

20 Preamble

21 WHEREAS, Correctional education and workforce training programs have been
22 found to measurably reduce recidivism and foster rehabilitation; and

23 WHEREAS, The State must ensure that incarcerated individuals receive the
24 education and training necessary to prepare them for careers in in–demand job sectors;
25 now, therefore,

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

28 **Article – Labor and Employment**

29 11–101.

30 (a) In this title the following words have the meanings indicated.

31 (b) “Department” means the Department of Labor, Licensing, and Regulation.

32 (c) “Secretary” means the Secretary of Labor, Licensing, and Regulation.

33 11–901.

1 (a) There is a Correctional Education Council under the jurisdiction of the
2 Department of Public Safety and Correctional Services and the Department.

3 11-902.

4 (a) (1) The Correctional Education Council shall develop and recommend an
5 educational and workforce training program for each correctional institution in the Division
6 of Correction.

7 (2) The programs shall meet the special needs and circumstances of the
8 inmates in each correctional institution.

9 (3) ~~IN ACCORDANCE WITH THE FUNDING RECOMMENDATIONS OF IF~~
10 ~~THE JUSTICE REINVESTMENT OVERSIGHT BOARD~~ MAKES A FUNDING
11 RECOMMENDATION UNDER § 9-3207(B)(5) § 9-3207(B)(6) OF THE STATE
12 GOVERNMENT ARTICLE, A POST-SECONDARY EDUCATION AND WORKFORCE
13 TRAINING PROGRAM, IN ACCORDANCE WITH THE FUNDING RECOMMENDATION,
14 SHALL PROVIDE INMATES WITH THE REQUISITE TRAINING, CERTIFICATIONS, AND
15 EXPERIENCE TO OBTAIN CAREERS IN IN-DEMAND JOB SECTORS.

16 (e) (1) (i) The Council shall actively advocate and promote the interests of
17 educational programs and workforce skills training opportunities in correctional
18 institutions.

19 (ii) The Council shall seek to ensure that a quality education, equal
20 educational opportunity, and workforce skills training are available to all inmates at
21 correctional institutions.

22 (2) The Council, on a regular basis, shall review the educational and
23 workforce skills training programs at correctional institutions to ensure that the unique
24 educational and training needs of the populations of the correctional institutions are being
25 satisfactorily met.

26 (3) The Council shall include in its review:

- 27 (i) curriculum guides;
- 28 (ii) courses of study;
- 29 (iii) resource materials;
- 30 (iv) textbooks;
- 31 (v) supplementary readers;
- 32 (vi) materials of instruction;

1 (vii) visual and auditory aids;

2 (viii) supplies;

3 (ix) teacher performance; and

4 (x) other teaching aids.

5 (4) Based on its review, the Council shall recommend and advocate
6 improvements to the educational and workforce skills training programs at correctional
7 institutions.

8 11-903.

9 (a) The Department is responsible for the provision of education and workforce
10 skills training programs in the adult correctional institutions in the State.

11 (b) The Secretary shall appoint a Director of Education and Workforce Skills
12 Training for Correctional Institutions.

13 (c) The Director shall receive the salary provided in the budget of the
14 Department.

15 (d) The Director shall:

16 (1) implement and operate the educational and workforce skills training
17 programs developed by the Council in the correctional institutions;

18 (2) meet with and advise the Council about the programs; and

19 (3) consult with the Commissioner of Correction and the warden of each
20 institution about the operation of the programs.

21 **Article – State Government**

22 9-3202.

23 There is a Justice Reinvestment Oversight Board in the Governor's Office of Crime
24 Control and Prevention.

25 9-3207.

26 (b) (1) In collaboration with the Department of Public Safety and Correctional
27 Services, the Board shall determine the annual savings from the implementation of the
28 recommendations of the Justice Reinvestment Coordinating Council based on the
29 difference between the prison population as measured on October 1, 2017, the baseline day,

1 and the prison population as measured on October 1, 2018, the comparison day, and the
2 variable cost of incarceration.

3 (2) If the prison population on the comparison day is less than the prison
4 population on the baseline day, the Board shall determine a savings based on the difference
5 in the prison population multiplied by the variable cost.

6 (3) The Board annually shall determine the difference between the prison
7 population on October 1, 2017, and the prison population on October 1 of the current year
8 and calculate any savings in accordance with paragraph (2) of this subsection.

9 (4) If a prison population decline causes a correctional unit, wing, or facility
10 to close, the Board shall conduct an assessment to determine the savings from the closure
11 and distribute the savings, realized annually, according to the schedule in paragraph (5) of
12 this subsection.

13 (5) The Board annually shall recommend that the savings identified in
14 paragraphs (2) through (4) of this subsection be distributed as follows:

15 (i) up to 50% of the savings shall be placed in the Performance
16 Incentive Grant Fund for purposes established under § 9-3209(b)(1) of this subtitle; and

17 (ii) SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, the
18 remaining savings shall be used for:

19 ~~1.~~ additional services identified as reinvestment priorities in
20 the Justice Reinvestment Coordinating Council's Final Report;~~AND,~~

21 ~~2.~~ **(6) THE BOARD MAY RECOMMEND THAT A PORTION**
22 **OF THE REMAINING SAVINGS IDENTIFIED UNDER PARAGRAPH (5)(II) OF THIS**
23 **SUBSECTION BE USED FOR THE DEVELOPMENT AND IMPLEMENTATION OF A**
24 **POST-SECONDARY EDUCATION AND WORKFORCE TRAINING PROGRAM FOR EACH**
25 **CORRECTIONAL INSTITUTION IN THE DIVISION OF CORRECTION THAT PROVIDES**
26 **INMATES WITH THE REQUISITE TRAINING, CERTIFICATIONS, AND EXPERIENCE TO**
27 **OBTAIN CAREERS IN IN-DEMAND JOB SECTORS.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2017.