

HOUSE BILL 179

E4

9lr0081

By: **Chair, Appropriations Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 23, 2019

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: February 20, 2019

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Patuxent Institution – Appointing Authority**

3 FOR the purpose of clarifying that the warden of Patuxent Institution is the appointing
4 authority for correctional officers assigned to Patuxent Institution and staff attached
5 to the office of the warden; and generally relating to Patuxent Institution.

6 BY repealing and reenacting, with amendments,

7 Article – Correctional Services

8 Section 4–204

9 Annotated Code of Maryland

10 (2017 Replacement Volume and 2018 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

13 **Article – Correctional Services**

14 4–204.

15 (a) The Institution shall have the following staff:

16 (1) two associate directors, one of whom is a competent psychiatrist with
17 at least 3 years of experience in the practice or teaching of psychiatry and one of whom is a
18 competent behavioral scientist with at least 3 years of experience in the practice or teaching

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.



1 of the individual's specialty in behavioral science;

2 (2) a warden;

3 (3) at least three additional psychiatrists or clinical psychologists;

4 (4) at least four State licensed certified social workers—clinical; and

5 (5) other professional and nonprofessional staff, as provided in the State
6 budget.

7 (b) (1) The associate directors shall assist primarily in discharging the
8 diagnostic and remediation functions of the Institution.

9 (2) The warden shall assist primarily in discharging the custodial function
10 of the Institution.

11 (c) The staff members of the Institution are entitled to compensation as provided
12 in the State budget.

13 (d) (1) Except as provided in paragraph (3) of this subsection or any other law,
14 the staff members of the Institution are in the skilled service or professional service in the
15 State Personnel Management System.

16 (2) With the approval of the Secretary, the Director shall appoint an
17 individual to any position that the Secretary determines to be professional, including:

18 (i) each associate director;

19 (ii) each social worker;

20 (iii) each sociologist;

21 (iv) each physician; and

22 (v) each psychologist.

23 (3) The Director and each individual appointed under paragraph (2)(i) of
24 this subsection are in the executive service, in the management service, or a special
25 appointment in the State Personnel Management System.

26 (4) **THE WARDEN IS THE APPOINTING AUTHORITY FOR:**

27 (I) **CORRECTIONAL OFFICERS ASSIGNED TO THE INSTITUTION;**

28 **AND**

1 **(II) STAFF ATTACHED TO THE OFFICE OF THE WARDEN.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.