

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 70

(Chair, Finance Committee)(By Request - Departmental -
Labor)

Finance

Judiciary and Ways and Means

**Correctional Institutions - Correctional Education Council - Mandatory
Education Program Requirements**

This departmental bill doubles the minimum number of days, from 120 calendar days to 240 calendar days that a nonexempt inmate must participate in the mandatory education program.

Fiscal Summary

State Effect: The bill's requirements can be absorbed within existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: The Maryland Department of Labor (MDOL) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: The Correctional Education Council is under the joint jurisdiction of MDOL and the Department of Public Safety and Correctional Services. The council must develop and recommend an educational and workforce training program for adult correctional institutions in the State. The council must also adopt regulations for a mandatory education program for inmates who fail to attain specified minimum educational standards as well as regulations for a mandatory workforce skills training program. Further, the council must advocate and promote the interests of educational

programs and workforce skills training opportunities in correctional institutions and regularly review these programs to ensure that educational and training needs of inmates are being met.

An inmate is mandated to take education classes for at least 120 calendar days if the inmate:

- does not have a GED or high school diploma;
- has at least 18 months remaining on the inmate's sentence; and
- is not exempt due to a medical, developmental, or learning disability.

After earning their GED or high school diploma, inmates are eligible for occupational programs or advanced education at a local partnering college.

Background: MDOL notes the bill better aligns with the Federal Bureau of Prisons mandatory school requirements for inmates. The Federal Bureau of Prisons requires inmates who do not have a high school diploma or GED certificate to participate in an education program for a minimum of 240 hours or until they obtain the GED. Inmates typically attend one hour to one and a half hours of class per day depending on the facility; thus, federal inmates who have one hour of class per day receive a minimum of 240 days of education.

MDOL advises that 120 calendar days generally equates to about 80 days or so of actual attendance Monday through Friday, as class is not held on weekends or holidays.

In fiscal 2019, 339 students received their GED at State correctional facilities in Maryland; 134 of them passed the GED in less than 120 days, 86 took between 120 and 240 days to pass the GED, and 119 took 240 days or longer to pass the GED.

In addition, 473 students left school voluntarily at State correctional facilities in fiscal 2019; 234 of them left at or before 120 days of school, 106 left between 120 and 240 days of school, and 133 left after 240 days of school.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Labor; Department of Public Safety and Correctional Services; Federal Bureau of Prisons; Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2020
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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Correctional Institutions – Correctional Education Council –
Mandatory Education Program Requirements

BILL NUMBER: SB 70

PREPARED BY: James Rzepkowski and Erin Roth

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

This change would potentially translate into a better-educated workforce. Amongst a strong economy, Maryland’s businesses often struggle to find the workers required to fulfill their needs. Expanding educational opportunities for individuals “behind the fence” will lead to more trained and prepared workers for the state’s employers. The potential impact to the business community will be positive.