

HOUSE BILL 1245

E5
HB 102/21 – JUD

2lr2927
CF 2lr2931

By: **Delegate Hill**

Introduced and read first time: February 11, 2022

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Inmates – Labor, Job Training, and Educational Courses**

3 FOR the purpose of requiring the compensation rate for inmate labor in Maryland
4 Correctional Enterprises to be not less than the federal minimum wage; requiring
5 the Division of Correction to offer job training and educational courses to certain
6 inmates; requiring the Maryland Department of Labor to evaluate the job training
7 and educational courses offered by the Division on an ongoing basis; and generally
8 relating to inmates.

9 BY repealing and reenacting, with amendments,
10 Article – Correctional Services
11 Section 3–514
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2021 Supplement)

14 BY adding to
15 Article – Correctional Services
16 Section 9–618
17 Annotated Code of Maryland
18 (2017 Replacement Volume and 2021 Supplement)

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

Article – Correctional Services

22 3–514.

23 (a) (1) [The] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
24 Commissioner and Chief Executive Officer shall establish the compensation rate for inmate

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 labor in Maryland Correctional Enterprises, taking into consideration other wage
2 payments and incentives in other programs.

3 **(2) THE COMPENSATION RATE FOR INMATE LABOR IN MARYLAND**
4 **CORRECTIONAL ENTERPRISES MAY NOT BE LESS THAN THE MINIMUM WAGE UNDER**
5 **THE FEDERAL FAIR LABOR STANDARDS ACT.**

6 (b) After review by the Management Council, and after consideration of any
7 recommendation by the Chief Executive Officer, the Commissioner shall adopt regulations
8 in accordance with Title 10, Subtitle 1 of the State Government Article that govern the
9 method and time of compensation payments.

10 **9-618.**

11 **(A) (1) SUBJECT TO SAFETY AND SECURITY CONCERNS, THE DIVISION OF**
12 **CORRECTION SHALL OFFER JOB TRAINING TO ALL INMATES.**

13 **(2) THE MARYLAND DEPARTMENT OF LABOR SHALL PARTNER WITH**
14 **LABOR UNIONS, TRADE ASSOCIATIONS, AND EDUCATIONAL INSTITUTIONS TO**
15 **DEVELOP THE JOB TRAINING PROGRAMS TO BE OFFERED.**

16 **(3) THE JOB TRAINING OFFERED SHALL FOCUS ON MARKETABLE**
17 **SKILLS.**

18 **(B) (1) SUBJECT TO SAFETY AND SECURITY CONCERNS, THE DIVISION**
19 **SHALL OFFER EDUCATIONAL COURSES TO ALL INMATES.**

20 **(2) EDUCATIONAL OFFERINGS SHALL INCLUDE:**

21 **(I) COURSES ABOVE GED LEVEL;**

22 **(II) FINANCIAL LITERACY;**

23 **(III) INVESTING; AND**

24 **(IV) CIVICS.**

25 **(C) ON OR BEFORE MARCH 1 ANNUALLY, THE DEPARTMENT SHALL REPORT**
26 **TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE**
27 **GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE JOB TRAINING AND**
28 **EDUCATIONAL COURSES OFFERED BY THE DIVISION DURING THE PRECEDING**
29 **CALENDAR YEAR, INCLUDING:**

30 **(1) A LISTING AND DESCRIPTION OF EACH TRAINING MODULE AND**

1 EDUCATIONAL COURSE OFFERED ALONG WITH THE NUMBER OF STUDENTS
2 PARTICIPATING IN EACH; AND

3 (2) THE NUMBER OF INMATES WHO RECEIVED DIPLOMAS,
4 CERTIFICATES, OR OTHER PROGRAM COMPLETIONS, BY CATEGORY.

5 (D) (1) THE MARYLAND DEPARTMENT OF LABOR SHALL, ON AN
6 ONGOING BASIS, EVALUATE THE JOB TRAINING AND EDUCATIONAL COURSES
7 OFFERED BY THE DIVISION, AND, ON OR BEFORE DECEMBER 31 EVERY 3 YEARS
8 BEGINNING DECEMBER 31, 2023, REPORT TO THE GOVERNOR AND, IN ACCORDANCE
9 WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY
10 ON:

11 (I) THE EXTENT TO WHICH THE COURSES OFFERED MEET THE
12 TRAINING AND EDUCATIONAL GOALS FOR WHICH THEY WERE ESTABLISHED;

13 (II) THE DEGREE OF PARTICIPATION IN EACH COURSE AND
14 REASONS FOR LOW PARTICIPATION IN ANY COURSE;

15 (III) ANY SECURITY CONCERNS THAT PRESENT BARRIERS TO
16 THE IMPLEMENTATION OF A COURSE; AND

17 (IV) RECOMMENDATIONS FOR ANY NEW OR MODIFIED
18 PROGRAMMING.

19 (2) THE MARYLAND DEPARTMENT OF LABOR SHALL CONSIDER THE
20 FOOTPRINT, PHYSICAL STRUCTURE, AND STAFFING OF DIVISION FACILITIES IN
21 MAKING ANY RECOMMENDATION FOR NEW OR MODIFIED PROGRAMMING.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2022.