

# HOUSE BILL 310

E5

6lr1310  
CF SB 268

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By: **Delegates Kaufman, Holmes, A. Johnson, S. Johnson, ~~and Shetty~~ Shetty, Conaway, Williams, Phillips, Moon, Simpson, Moreno, McComas, Nkongolo, Simmons, and Taylor**

Introduced and read first time: January 15, 2026  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 2, 2026

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Correctional Services – Restrictive Housing – Individuals With Developmental**  
3 **or Intellectual Disabilities**

4 FOR the purpose of ~~authorizing~~ requiring a certain clinical professional to conduct a certain  
5 assessment for an incarcerated individual at intake at a State correctional facility;  
6 authorizing a certain clinical professional to make a certain recommendation about  
7 a certain incarcerated individual; prohibiting a State correctional facility from  
8 putting a certain incarcerated individual in restrictive housing for more than a  
9 certain number of days unless the individual commits a certain prohibited act; and  
10 generally relating to restrictive housing.

11 BY adding to

12 Article – Correctional Services  
13 Section 9–614.3  
14 Annotated Code of Maryland  
15 (2025 Replacement Volume)

16 BY repealing and reenacting, without amendments,

17 Article – Health – General  
18 Section 7–101(a), (g), and (n)  
19 Annotated Code of Maryland  
20 (2023 Replacement Volume and 2025 Supplement)

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

3 **Article – Correctional Services**

4 **9–614.3.**

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
6 INDICATED.

7 (2) “CLINICAL PROFESSIONAL” MEANS AN INDIVIDUAL WHO IS  
8 TRAINED ~~AND~~ OR LICENSED IN MENTAL HEALTH.

9 (3) “DEVELOPMENTAL DISABILITY” HAS THE MEANING STATED IN §  
10 7–101 OF THE HEALTH – GENERAL ARTICLE.

11 (4) “INTELLECTUAL DISABILITY” HAS THE MEANING STATED IN §  
12 7–101 OF THE HEALTH – GENERAL ARTICLE.

13 (5) “PROHIBITED ACT” INCLUDES:

14 (I) CAUSING OR ATTEMPTING TO CAUSE SERIOUS PHYSICAL  
15 INJURY TO OR DEATH OF ANOTHER PERSON;

16 (II) MAKING AN IMMINENT THREAT OF SERIOUS PHYSICAL  
17 INJURY OR DEATH TO ANOTHER PERSON WHEN:

18 1. THE INDIVIDUAL MAKING THE THREAT HAS A  
19 HISTORY OF CAUSING PHYSICAL INJURY OR DEATH; AND

20 2. THE COMMISSIONER OF CORRECTION REASONABLY  
21 DETERMINES THAT THERE IS A STRONG LIKELIHOOD THAT THE PERSON WILL CARRY  
22 OUT A THREAT OF SERIOUS PHYSICAL INJURY OR DEATH;

23 (III) COMPELLING OR ATTEMPTING TO COMPEL ANOTHER  
24 PERSON, BY FORCE OR THREAT OF FORCE, TO ENGAGE IN A SEXUAL ACT;

25 (IV) EXTORTING ANOTHER, BY FORCE OR THREAT OF FORCE,  
26 FOR PROPERTY OR MONEY;

27 (V) COERCING ANOTHER, BY FORCE OR THREAT OF FORCE, TO  
28 VIOLATE A RULE;

1 (VI) LEADING, ORGANIZING, INCITING, OR ATTEMPTING TO  
2 CAUSE A RIOT, AN INSURRECTION, OR ANY OTHER SIMILARLY SERIOUS  
3 DISTURBANCE THAT RESULTS IN THE TAKING OF A HOSTAGE, MAJOR PROPERTY  
4 DAMAGE, OR PHYSICAL HARM TO ANOTHER PERSON;

5 (VII) PROCURING DEADLY WEAPONS OR OTHER DANGEROUS  
6 CONTRABAND THAT POSE A SERIOUS THREAT TO THE SECURITY OF THE  
7 INSTITUTION; AND

8 (VIII) ESCAPING, ATTEMPTING TO ESCAPE, OR FACILITATING AN  
9 ESCAPE FROM A CORRECTIONAL FACILITY OR ESCAPING OR ATTEMPTING TO  
10 ESCAPE WHILE UNDER SUPERVISION OUTSIDE A CORRECTIONAL FACILITY.

11 (6) (I) "RESTRICTIVE HOUSING" MEANS A FORM OF PHYSICAL  
12 SEPARATION THAT HAS NOT BEEN REQUESTED BY THE INCARCERATED INDIVIDUAL  
13 IN WHICH THE INCARCERATED INDIVIDUAL IS PLACED IN A LOCKED ROOM OR CELL  
14 FOR APPROXIMATELY 22 HOURS OR MORE OUT OF A 24-HOUR PERIOD.

15 (II) "RESTRICTIVE HOUSING" INCLUDES ADMINISTRATIVE  
16 SEGREGATION AND DISCIPLINARY SEGREGATION.

17 (III) "RESTRICTIVE HOUSING" DOES NOT INCLUDE:

- 18 1. MEDICAL ISOLATION;
- 19 2. MENTAL-HEALTH OBSERVATION OR CRISIS  
20 STABILIZATION;
- 21 3. SUICIDE WATCH;
- 22 4. PROTECTIVE CUSTODY REQUESTED BY THE  
23 INCARCERATED INDIVIDUAL; OR
- 24 5. QUARANTINE OR PUBLIC-HEALTH ISOLATION.

25 (B) THIS SECTION APPLIES TO A STATE CORRECTIONAL FACILITY.

26 (C) (1) DURING THE ~~INTAKE ASSESSMENT~~ MEDICAL SCREENING  
27 CONDUCTED ON ADMISSION TO A STATE CORRECTIONAL FACILITY FOR A NEW  
28 INCARCERATED INDIVIDUAL, AN APPLICABLE CLINICAL PROFESSIONAL ~~MAY~~ SHALL,  
29 AS PART OF THE STANDARD INTAKE SCREENING PROCESS, ASSESS THE  
30 INCARCERATED INDIVIDUAL FOR INDICATORS OF A DEVELOPMENTAL DISABILITY  
31 OR AN INTELLECTUAL DISABILITY.

