

CHAPTER 670

(House Bill 765)

AN ACT concerning

Public Safety – Correctional Officers – Minimum Age

FOR the purpose of altering a provision of law to require the Secretary of Public Safety and Correctional Services to adopt regulations to govern the policies and management of correctional facilities in the Department of Public Safety and Correctional Services rather than the Division of Correction; requiring the Secretary to adopt certain regulations establishing a certain minimum age for a correctional officer hired on or after a certain date for employment in the Division of Pretrial Detention and Services or the Patuxent Institution, with a certain exception; and generally relating to correctional facilities.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–109
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

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

Article – Correctional Services

2–109.

- (a) The Secretary shall adopt regulations for the office of the Secretary.
- (b)
 - (1) The Secretary shall review regulations proposed by a unit in the Department.
 - (2) The Secretary may approve, disapprove, or revise regulations proposed by a unit in the Department.
- (c)
 - (1) Except as provided in paragraph (2) of this subsection, the Secretary shall adopt regulations to govern the policies and management of correctional facilities in the [Division of Correction] **DEPARTMENT** in accordance with Title 10, Subtitle 1 of the State Government Article.

(2) Paragraph (1) of this subsection does not apply to a guideline pertaining to the routine internal management of correctional facilities in the Division of Correction.

(3) (i) Subject to subparagraph (ii) of this paragraph, the Secretary shall adopt regulations that provide for a requirement that:

1. a correctional officer hired on or after October 1, 2007, for employment in any unit of the Division of Correction shall be at least 21 years old; **AND**

2. A CORRECTIONAL OFFICER HIRED ON OR AFTER OCTOBER 1, 2008, FOR EMPLOYMENT IN ANY UNIT OF THE DIVISION OF PRETRIAL DETENTION AND SERVICES OR THE PATUXENT INSTITUTION SHALL BE AT LEAST 21 YEARS OLD.

(ii) The regulations adopted under subparagraph (i) of this paragraph shall exempt any honorably discharged veteran or reserve member of the United States armed forces from the minimum age requirement.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, May 22, 2008.