

SENATE BILL 531

E3

9lr1177

By: **Senators Zirkin, Frosh, Jacobs, Mooney, Muse, and Stone**

Introduced and read first time: February 5, 2009

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2009

CHAPTER _____

1 AN ACT concerning

2 **Juvenile Services - Programming - Private Facilities**

3 FOR the purpose of requiring the Department of Juvenile Services to serve children in
4 the juvenile services system with programming that ensures that certain
5 facilities in this State serve no more than a certain number of children at one
6 time; providing a certain exception; and generally relating to the Department of
7 Juvenile Services.

8 BY repealing and reenacting, with amendments,
9 Article - Human Services
10 Section 9-238.1(a)
11 Annotated Code of Maryland
12 (2007 Volume and 2008 Supplement)

13 BY adding to
14 Article - Human Services
15 Section 9-238.1(d)
16 Annotated Code of Maryland
17 (2007 Volume and 2008 Supplement)

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

20 **Article - Human Services**

21 9-238.1.

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 (a) The Department shall serve children in the juvenile services system with
2 programming that:

3 (1) ensures the safety of the community and the children served;

4 (2) holds delinquent children accountable to victims and communities;

5 (3) assists children to develop competencies to become successful
6 members of society;

7 (4) delivers services on a regional basis through at least four
8 operational regions;

9 (5) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,
10 ensures that:

11 (I) **THE FOLLOWING FACILITIES IN THIS STATE SERVE NO**
12 **MORE THAN 48 CHILDREN AT ONE TIME:**

13 1. [a] **EACH** committed facility owned by the
14 Department [serves no more than 48 children at one time]; and

15 2. **EACH COMMITTED FACILITY UNDER CONTRACT**
16 **WITH THE DEPARTMENT CONSTRUCTED ON OR AFTER OCTOBER 1, 2009; AND**

17 (II) **BY 2012, EACH COMMITTED FACILITY IN THIS STATE**
18 **UNDER CONTRACT WITH THE DEPARTMENT CONSTRUCTED BEFORE**
19 **OCTOBER 1, 2009, SERVES NO MORE THAN 48 CHILDREN AT ONE TIME; AND**

20 (6) uses detention and committed facilities that are operationally
21 separate from each other and that do not share common program space, including
22 dining halls and educational or recreational facilities.

23 (D) THE PROVISIONS OF SUBSECTION (A)(5) OF THIS SECTION DO NOT
24 APPLY TO A RESIDENTIAL TREATMENT CENTER OR TO THE REGIONAL
25 INSTITUTES FOR CHILDREN AND ADOLESCENTS.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2009.