

CHAPTER 132

(Senate Bill 90)

AN ACT concerning

Inmate Grievance Commission - Judicial Review

FOR the purpose of prohibiting a court from entertaining certain inmate grievances until exhaustion of remedies before the Inmate Grievance Commission.

BY repealing and reenacting, with amendments,

Article 41 - Governor - Executive and Administrative Departments  
Section 204F(1)  
Annotated Code of Maryland  
(1982 Replacement Volume and 1984 Supplement)

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

Article 41 - Governor - Executive and Administrative Departments

204F.

(1) No court shall [be required to] entertain an inmate's grievance or complaint within the jurisdiction of the Inmate Grievance Commission unless and until the complainant has exhausted the remedies as provided in this section. Upon the final decision of the Secretary of Public Safety and Correctional Services, the complainant shall be entitled to judicial review thereof. Proceedings for review shall be instituted in the circuit court of the county in which is located the institution where the complainant is confined. Review by the court shall be limited to a review of the record of the proceedings before the Commission and the Secretary's order, if any, pursuant to such proceedings. The court's review shall be limited to a determination of whether there was a violation of any right of the inmate protected by federal or State laws or constitutional requirements.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.

Approved May 21, 1985.

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