

Approved May 19, 1989.

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CHAPTER 489

(Senate Bill 423)

AN ACT concerning

Division of Correction - Regulations

FOR the purpose of requiring the Secretary of Public Safety and Correctional Services to adopt certain regulations governing certain functions of Division of Correction correctional facilities; requiring the regulations to comply with certain provisions of the Administrative Procedure Act; specifying certain exceptions; making this Act an emergency measure; and generally relating to the adoption of regulations by the Secretary of Public Safety and Correctional Services.

BY adding to

Article 41 - Governor - Executive and Administrative  
Departments  
Section 4-104(h)  
Annotated Code of Maryland  
(1986 Replacement Volume and 1988 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  
4-104.

(H) (1) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL ADOPT REGULATIONS GOVERNING THE POLICIES AND MANAGEMENT OF CORRECTIONAL FACILITIES WITHIN THE DIVISION OF CORRECTION.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AND NOTWITHSTANDING THE PROVISIONS OF § 10-101(E)(2)(I) OF THE STATE GOVERNMENT ARTICLE, THE REGULATIONS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL COMPLY WITH TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE (ADMINISTRATIVE PROCEDURE ACT - REGULATIONS).

(3) THE REQUIREMENTS OF PARAGRAPHS (1) AND (2) OF THIS SUBSECTION DO NOT APPLY TO GUIDELINES PERTAINING TO THE