

Article - Courts and Judicial Proceedings

Section 5-399.6

Annotated Code of Maryland

(1989 Replacement Volume and 1992 Supplement)

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

Article - Courts and Judicial Proceedings

5-399.6.

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

(2) "AGENT" MEANS AN OFFICER, DIRECTOR, TRUSTEE, EMPLOYEE, OR VOLUNTEER OF A PROVIDER, BUT DOES NOT MEAN AN OFFENDER.

(3) "OFFENDER" MEANS A PERSON ASSIGNED OR ORDERED TO PERFORM COMMUNITY SERVICE:

(I) BY A COURT ACCORDING TO THE PROVISIONS OF ARTICLE 27, § 726A OF THE CODE OR § 3-820 OF ~~THE COURTS~~ THIS ARTICLE; OR

(II) BY AN INTAKE OFFICER UNDER § 3-810 OF ~~THE COURTS~~ THIS ARTICLE.

(4) "PRIVATE PROVIDER" MEANS ~~A PRIVATE CHARITABLE ORGANIZATION AS DEFINED IN § 5-314 OF THE COURTS ARTICLE, A PUBLIC OR COMMUNITY SERVICE ASSOCIATION, OR A GOVERNMENTAL ENTITY NOT DEFINED BY PARAGRAPH (5) OF THIS SUBSECTION THAT PROVIDES A WORK PROJECT TO WHICH AN OFFENDER IS ORDERED OR ASSIGNED TO WORK~~ AN ORGANIZATION THAT:

(I) IS EXEMPT FROM TAXATION UNDER § 501(C) OF THE INTERNAL REVENUE CODE; AND

(II) 1. IS APPROVED BY A COMMUNITY SERVICE PROGRAM ADMINISTRATOR FOR PARTICIPATION IN A COMMUNITY SERVICE PROGRAM AS DESCRIBED IN ARTICLE 27, § 726A OF THE CODE; OR

2. PROVIDES WORK PROJECTS FOR JUVENILES ASSIGNED OR ORDERED TO PERFORM COMMUNITY SERVICE UNDER § 3-810 OR § 3-820 OF THIS ARTICLE.

(5) "PUBLIC PROVIDER" MEANS A UNIT OF STATE OR LOCAL GOVERNMENT THAT IS SUBJECT TO TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE (MARYLAND TORT CLAIMS ACT) OR TITLE 5, SUBTITLE 4 OF ~~THE COURTS~~ THIS ARTICLE (LOCAL GOVERNMENT TORT CLAIMS ACT) AND THAT REFERS AN OFFENDER TO OR PROVIDES A WORK PROJECT TO WHICH AN OFFENDER IS ORDERED OR ASSIGNED TO WORK.