

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-104(g).

In subsections (a) and (b)(1) of this section, the references to a "unit" are substituted for the former references to an "agency" and an "institutional, or other agency" for brevity and consistency throughout this article. See General Revisor's Note to this article.

In subsection (b)(1) of this section, the former phrase "for purposes of the evaluation or study" is deleted as implicit in the authority of the Secretary to make the specified materials available only to a person who is conducting an authorized evaluation or study.

Defined terms: "Department" § 1-101

"Inmate" § 1-101

"Person" § 1-101

"Secretary" § 1-101

2-113. SECRETARY'S POWERS — ASSUMPTION OF FUNCTIONS.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE SECRETARY MAY EXERCISE ANY POWER, DUTY, RESPONSIBILITY, OR FUNCTION OF ANY UNIT, UNIT HEAD, OR APPOINTING OFFICER IN THE DEPARTMENT.

(B) EXCEPTIONS.

THE SECRETARY MAY NOT EXERCISE A POWER, DUTY, RESPONSIBILITY, OR FUNCTION THAT IS SET FORTH IN:

- (1) §§ 7-204(B)(2), 7-205(A), AND 7-401 OF THIS ARTICLE; OR
- (2) TITLE 10, SUBTITLE 3 OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-104(c)(1).

In subsection (a) of this section, the references to a "unit" are substituted for the former list of unit types, i.e., boards, commissions, divisions, and agencies, for brevity. See General Revisor's Note to this article.

Also in subsection (a) of this section, the former reference to "the jurisdiction of" the Department is deleted as surplusage. All of the listed entities that are in the jurisdiction of the Department are also "in" the Department. See General Revisor's Note to this article.

The last clause of former Art. 41, § 4-104(c)(1), which is revised in subsection (b) of this section, provided that the Secretary may not exercise or perform the powers granted to the Parole Commission or the Sundry Claims Board under former Art. 41, §§ 4-504(a) and (c), 4-507(b), 4-511, and 4-701. However, former Art. 41, § 4-511(f), which is revised in § 7-804 of this article, imposed certain notification duties on the Department of