

"MINIMUM MANDATORY STANDARDS" MEANS THE STANDARDS DESCRIBED IN § 8-103(A) OF THIS SUBTITLE.

REVISOR'S NOTE: This subsection is new language added to avoid the repetition of the lengthy reference to "the standards described in § 8-103(a) of this subtitle".

Former Art. 41, § 4-401(b)(7), which defined the term "mandatory standards", is revised as a substantive provision in § 8-103(a) of this subtitle.

REVISOR'S NOTE TO SECTION: Former Art. 41, § 4-401(b)(4), which defined "municipality", is deleted since that term is not used in this revision. The term "municipal corporation" is used as appropriate throughout this article to conform to the language used in Md. Constitution, Art. XI-E.

8-102. LEGISLATIVE FINDINGS.

THE GENERAL ASSEMBLY FINDS THAT THERE IS A NEED TO IMPROVE THE METHOD OF ESTABLISHING STANDARDS FOR CORRECTIONAL FACILITIES AND PROGRAMS AND OF INSURING COMPLIANCE WITH THESE STANDARDS TO BETTER PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC BY REDUCING INCIDENTS OF CRIME.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-401(a).

The term "the public" is substituted for the former reference to "Maryland's citizens" for clarity and consistency throughout this article. See General Revisor's Note to this article.

The former word "declares" is deleted as redundant of the word "finds" and for consistency with similar provisions in other revised articles of the Code. See, e.g., BR § 3-102 and IN § 7-102.

Defined term: "Correctional facility" § 1-101

8-103. ESTABLISHMENT OF STANDARDS.

(A) MINIMUM MANDATORY STANDARDS.

(1) WITH THE ADVICE OF THE COMMISSION, THE SECRETARY SHALL ADOPT REGULATIONS THAT ESTABLISH MINIMUM MANDATORY STANDARDS APPLICABLE TO SECURITY AND INMATE CONTROL, INMATE SAFETY, INMATE FOOD SERVICES, INMATE HOUSING AND SANITATION, INMATE RIGHTS, CLASSIFICATION, HEARINGS, AND ADMINISTRATIVE RECORD KEEPING.

(2) THE MINIMUM MANDATORY STANDARDS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL APPLY TO ALL STATE AND LOCAL CORRECTIONAL FACILITIES.

(B) APPROVED STANDARDS.