

Defined terms: "Center" § 11-301
 "County" § 1-101
 "Secretary" § 1-101

11-305. STANDARDS.

(A) IN GENERAL.

THE REGULATIONS ADOPTED BY THE SECRETARY UNDER § 8-103(A) AND (B) OF THIS ARTICLE SHALL INCLUDE MINIMUM STATE STANDARDS FOR CENTERS.

(B) CRITERIA AND GUIDELINES.

THE MINIMUM STATE STANDARDS FOR CENTERS SHALL INCLUDE CRITERIA AND GUIDELINES FOR:

- (1) SITING;
- (2) PHYSICAL CHARACTERISTICS, INCLUDING DESIGN AND LAYOUT;
- (3) PROGRAMS AND STAFFING;
- (4) SCREENING PROCEDURES FOR PLACEMENT;
- (5) ACCOUNTING, REPORTING, AND ACCOUNTABILITY; AND
- (6) GENERAL PROGRAM AND MANAGEMENT OPERATIONS.

(C) DEVELOPMENT, ADOPTION, AND ENFORCEMENT OF STANDARDS.

THE SECRETARY SHALL COMPLY WITH THE ADMINISTRATIVE PROCEDURE ACT, TITLE 7, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE, AND OTHER APPLICABLE LAWS IN THE DEVELOPMENT, ADOPTION, AND ENFORCEMENT OF STANDARDS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 709.

In subsection (a) of this section, the former reference to "rule[s]" is deleted for consistency throughout this article. See General Revisor's Note to this article.

In subsection (b)(1), (2), and (4) of this section, the former references to "centers" are deleted as unnecessary in light of the reference to "centers" in the introductory language of this subsection.

In subsection (c) of this section, the former requirement that "[t]hese standards ... be deemed to be rules and regulations" is deleted as unnecessary in light of subsection (a) of this section, which provides that the Secretary shall adopt regulations that establish minimum State standards.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (c) of this section seems unnecessary. All Executive Branch agencies that promulgate regulations must comply with the Administrative Procedure Act, which