

*ENROLLED BILL*  
*-- Finance/Ways and Means --*

Introduced by **Senators Lawlah, Astle, Britt, Currie, DeGrange, Della, Exum, Forehand, Garagiola, Gladden, Hafer, Hogan, Hooper, Kasemeyer, Kelley, Klausmeier, McFadden, Middleton, Pipkin, Ruben, Schrader, and Teitelbaum**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **At-Risk Youth ~~Delinquency~~ Prevention and Diversion Programs**

3 FOR the purpose of establishing ~~the Coordinating Council on At Risk Youth~~  
4 ~~Delinquency Prevention and Diversion Programs; providing for the membership~~  
5 ~~of the Coordinating Council; specifying that the Executive Director of the~~  
6 ~~Governor's Office for Children is the chair of the Coordinating Council;~~  
7 ~~requiring the Governor's Office for Children to provide staff support for the~~  
8 ~~Coordinating Council; establishing the purposes and duties of the Coordinating~~  
9 ~~Council~~ an Advisory Council to the Children's Cabinet; establishing the purpose  
10 of the Council; specifying certain requirements for juvenile delinquency at-risk  
11 youth prevention and diversion programs; specifying the duties of a local  
12 management board; specifying the membership and duties of a local planning  
13 group; requiring the Governor to providing that it is the intent of the General  
14 Assembly that the Governor include a certain appropriation in the annual

1 budget bill; authorizing funds from certain sources to be used to meet a certain  
 2 minimum funding requirement; requiring the ~~Coordinating Council~~ Governor's  
 3 Office for Children to report to the General Assembly by a certain date each  
 4 year; defining certain terms; and generally relating to ~~juvenile delinquency~~  
 5 at-risk youth prevention and diversion programs.

6 BY adding to  
 7 Article 41 - Governor - Executive and Administrative Departments  
 8 Section ~~2-601 through 2-605~~ 2-501 through 2-504 ~~2-503~~, inclusive, to be under  
 9 the new subtitle "Subtitle ~~6. 5.~~ 5. At-Risk Youth ~~Delinquency~~ Prevention and  
 10 Diversion Programs"  
 11 Annotated Code of Maryland  
 12 (2003 Replacement Volume and 2005 Supplement)

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

15 **Article 41 - Governor - Executive and Administrative Departments**

16 SUBTITLE ~~6. 5.~~ 5. AT-RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION  
 17 PROGRAMS.

18 ~~2-601. 2-501.~~

19 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
 20 INDICATED.

21 (B) "AT-RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION PROGRAM"  
 22 MEANS SERVICES PROVIDED TO SCHOOL-AGED YOUTH AND THEIR FAMILIES TO  
 23 PREVENT OR DIVERT YOUTH FROM ENTERING THE JUVENILE JUSTICE SYSTEM AND  
 24 TO HELP MAKE THEM READY FOR ADULTHOOD BY AGE 21.

25 (C) "~~COORDINATING~~ ADVISORY COUNCIL" MEANS THE ~~COORDINATING~~  
 26 ADVISORY COUNCIL ON AT-RISK YOUTH DELINQUENCY PREVENTION AND  
 27 DIVERSION PROGRAMS TO THE CHILDREN'S CABINET.

28 (D) "3-YEAR PLAN" MEANS THE 3-YEAR PLAN DEVELOPED BY THE  
 29 CHILDREN'S CABINET ESTABLISHING PRIORITIES AND STRATEGIES FOR THE  
 30 COORDINATED DELIVERY OF SERVICES FOR CHILDREN AND FAMILIES.

31 ~~2-602. 2-502.~~

32 (A) THERE IS ~~A COORDINATING~~ AN ADVISORY COUNCIL ON AT-RISK YOUTH  
 33 DELINQUENCY PREVENTION AND DIVERSION PROGRAMS TO THE CHILDREN'S  
 34 CABINET.

35 (B) ~~THE COORDINATING COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:~~

1           (1)     ~~THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR~~  
2 ~~CHILDREN OR ANY SUCCESSOR ENTITY;~~

3           (2)     ~~THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S~~  
4 ~~DESIGNEE;~~

5           (3)     ~~THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S~~  
6 ~~DESIGNEE;~~

7           (4)     ~~THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE~~  
8 ~~SECRETARY'S DESIGNEE;~~

9           (5)     ~~THE STATE SUPERINTENDENT OF SCHOOLS, OR THE~~  
10 ~~SUPERINTENDENT'S DESIGNEE;~~

11          (6)     ~~THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND~~  
12 ~~PREVENTION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND~~

13          (7)     ~~REPRESENTATIVES OF OTHER PUBLIC OR PRIVATE AGENCIES~~  
14 ~~WHOSE EXPERTISE IS NEEDED BY THE COORDINATING COUNCIL, WHO SHALL BE~~  
15 ~~APPOINTED BY THE CHAIR.~~

16    (C)     ~~THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR CHILDREN~~  
17 ~~SHALL BE THE CHAIR OF THE COORDINATING COUNCIL.~~

18    (D)     ~~THE GOVERNOR'S OFFICE FOR CHILDREN SHALL PROVIDE STAFF~~  
19 ~~SUPPORT FOR THE COORDINATING COUNCIL.~~

20    (E)     ~~THE PURPOSE OF THE COORDINATING COUNCIL IS TO:~~

21          (1)     ~~BUILD CAPACITY TO SERVE YOUTH IN THEIR COMMUNITIES AND AT~~  
22 ~~HOME;~~

23          (2)     ~~REDUCE RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF~~  
24 ~~INTERVENTION FOR JUVENILE OFFENDERS;~~

25          (3)     ~~PROMOTE POSITIVE OUTCOMES FOR YOUTH; AND~~

26          (4)     ~~FUND PRACTICES TO PREVENT JUVENILE CRIME AND DELINQUENCY~~  
27 ~~AND REDUCE DISPROPORTIONATE CONFINEMENT OF MINORITY YOUTH.~~

28    (F)     ~~THE COORDINATING COUNCIL SHALL SET STANDARDS FOR LOCAL~~  
29 ~~MANAGEMENT BOARDS IN:~~

30          (1)     ~~ASSESSING COMMUNITY NEEDS;~~

31          (2)     ~~DEVELOPING REQUESTS FOR PROPOSALS; AND~~

32          (3)     ~~AWARDING GRANTS TO SELECTED PROGRAMS. THE PURPOSE OF THE~~  
33 ~~ADVISORY COUNCIL IS TO MAKE RECOMMENDATIONS TO THE CHILDREN'S CABINET~~  
34 ~~ON:~~

1           (1)     METHODS FOR MEETING THE POLICY AND PROGRAM GOALS OF THE  
2 STATE FOR INTEGRATED CHILDREN AND FAMILY PROGRAMS;

3           (2)     COORDINATING STATE PROGRAMS WITH PROGRAMS OPERATED BY  
4 LOCAL GOVERNMENTS, LOCAL MANAGEMENT BOARDS, AND PRIVATE GROUPS;

5           (3)     BUILDING CAPACITY TO SERVE YOUTHS IN THEIR COMMUNITIES  
6 AND AT HOME;

7           (4)     REDUCING RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF  
8 INTERVENTION FOR AT-RISK YOUTH OFFENDERS;

9           (5)     PROMOTING POSITIVE OUTCOMES FOR YOUTHS;

10          (6)     FUNDING PRACTICES THAT PREVENT JUVENILE CRIMES AND  
11 DELINQUENCY; AND

12          (7)     REDUCING DISPROPORTIONATE MINORITY CONFINEMENT.

13 ~~2-603. 2-503.~~

14        (A)     ~~AT RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS~~  
15 ~~FUNDED UNDER THIS SUBTITLE SHALL:~~

16           (1)     ~~PROVIDE SERVICES TO YOUTH THAT ARE:~~

17                   (I)     ~~SELF-REFERRED; OR~~

18                   (II)    ~~REFERRED BY:~~

19                           1.     ~~THE DEPARTMENT OF JUVENILE SERVICES;~~

20                           2.     ~~THE LOCAL DEPARTMENT OF SOCIAL SERVICES;~~

21                           3.     ~~A LAW ENFORCEMENT AGENCY;~~

22                           4.     ~~THE JUVENILE COURT;~~

23                           5.     ~~A SCHOOL; OR~~

24                           6.     ~~ANY OTHER PUBLIC OR PRIVATE AGENCY;~~

25           (2)     ~~BE:~~

26                   (I)     ~~NONRESIDENTIAL; AND~~

27                   (II)    ~~COMMUNITY BASED, NEIGHBORHOOD BASED, SCHOOL BASED,~~  
28 ~~OR FAITH BASED; AND~~

1 ~~(3)~~ BE COORDINATED, MONITORED, AND SUPPORTED BY THE LOCAL  
 2 MANAGEMENT BOARDS. AN AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAM  
 3 MAY BE:

4 (1) (I) COMMUNITY-BASED;

5 (II) SCHOOL-BASED;

6 (III) NEIGHBORHOOD-BASED; OR

7 (IV) FAITH-BASED; AND

8 (2) NONRESIDENTIAL.

9 (B) AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAMS SHALL BE  
 10 COORDINATED, MONITORED, AND SUPPORTED BY LOCAL MANAGEMENT BOARDS.

11 ~~(B)~~ (C) A LOCAL MANAGEMENT BOARD SHALL APPLY TO THE  
 12 COORDINATING COUNCIL GOVERNOR'S OFFICE FOR CHILDREN FOR FUNDS FOR  
 13 LOCAL AT-RISK YOUTH DELINQUENCY PREVENTION AND DIVERSION PROGRAMS  
 14 FUNDING FOR THE AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAM.

15 ~~(C)~~ (D) BEFORE SUBMITTING AN APPLICATION TO THE COORDINATING  
 16 COUNCIL GOVERNOR'S OFFICE FOR CHILDREN, THE LOCAL MANAGEMENT BOARD  
 17 SHALL CONVENE DEMONSTRATE THAT THE LOCAL MANAGEMENT BOARD HAS  
 18 CONVENED A LOCAL PLANNING GROUP CONSISTING OF PARENTS, YOUTH, AND  
 19 REPRESENTATIVES OF PUBLIC AND PRIVATE AGENCIES THAT HAVE KNOWLEDGE OF  
 20 AND EXPERIENCE WORKING WITH AT-RISK YOUTH AND FAMILIES.

21 ~~(D)~~ (E) THE LOCAL PLANNING GROUP MANAGEMENT BOARD SHALL, AS  
 22 PART OF THE PREVENTION ELEMENT OF THE 3-YEAR PLAN:

23 (1) ASSESS THE ADEQUACY, AVAILABILITY, AND ACCESSIBILITY OF  
 24 CURRENT COMMUNITY-BASED SERVICES THAT:

25 (I) PREVENT AND DIVERT ENTRY AND REENTRY INTO THE  
 26 JUVENILE SYSTEM;

27 (II) PROVIDE ALTERNATIVES TO INCARCERATION AND  
 28 INSTITUTIONALIZATION;

29 (III) PREVENT AND DIVERT CRIMINAL BEHAVIOR; AND

30 (IV) INCREASE PERSONAL RESPONSIBILITY AND  
 31 SELF-SUFFICIENCY;

32 (2) IDENTIFY UNSERVED NEIGHBORHOODS OR COMMUNITIES WITH  
 33 CRITICAL NEEDS AND SIGNIFICANT NUMBERS OF AT-RISK OR DELINQUENT YOUTH;  
 34 AND

1 (3) RECOMMEND PROGRAMS THAT CAN BE ESTABLISHED OR  
2 ENHANCED TO ADDRESS THE UNMET NEEDS OF YOUTH AND THEIR FAMILIES.

3 ~~(E)~~ (F) THE LOCAL MANAGEMENT BOARD SHALL:

4 (1) DEVELOP A REQUEST FOR FUNDS BASED ON THE  
5 RECOMMENDATIONS OF THE LOCAL PLANNING GROUP;

6 (2) AWARD FUNDS TO LOCAL AGENCIES OR ORGANIZATIONS TO  
7 PROVIDE DIRECT SERVICES;

8 (3) MONITOR AND EVALUATE AT-RISK YOUTH PREVENTION AND  
9 DIVERSION PROGRAM PERFORMANCE;

10 (4) PROVIDE TECHNICAL ASSISTANCE TO ~~LOCAL~~ AT-RISK YOUTH  
11 PREVENTION AND DIVERSION PROGRAMS AS NEEDED;

12 (5) PROMOTE COST-EFFECTIVENESS STRATEGIES;

13 (6) MEASURE AT-RISK YOUTH PREVENTION AND DIVERSION PROGRAM  
14 OUTCOMES; AND

15 (7) PROVIDE ~~QUARTERLY~~ FISCAL AND PROGRAM REPORTS TO THE  
16 GOVERNOR'S OFFICE FOR CHILDREN.

17 ~~2-604.2-504.~~

18 ~~(A) BEGINNING IN FISCAL YEAR 2008 AND EACH FISCAL YEAR THEREAFTER,~~  
19 ~~THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION~~  
20 ~~EQUAL TO AT LEAST \$10,000,000 TO FUND AT RISK YOUTH DELINQUENCY~~  
21 ~~PREVENTION AND DIVERSION PROGRAMS.~~

22 ~~(B) FUNDS FROM ANY OF THE FOLLOWING SOURCES MAY BE USED TO MEET~~  
23 ~~THE MINIMUM FUNDING REQUIREMENT UNDER SUBSECTION (A) OF THIS SECTION:~~

24 ~~(1) FEDERAL FUNDS FROM THE TEMPORARY ASSISTANCE FOR NEEDY~~  
25 ~~FAMILIES BLOCK GRANT;~~

26 ~~(2) FEDERAL FUNDS FROM THE OFFICE OF JUVENILE JUSTICE AND~~  
27 ~~DELINQUENCY PREVENTION;~~

28 ~~(3) FEDERAL FUNDS FROM THE TITLE I PROGRAM FOR NEGLECTED AND~~  
29 ~~DELINQUENT CHILDREN;~~

30 ~~(4) BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE~~  
31 ~~ABUSE;~~

32 ~~(5) GENERAL FUNDS; AND~~

33 ~~(6) PRIVATE SOURCES.~~

1 ~~2-605.~~

2 ~~THE COORDINATING COUNCIL GOVERNOR'S OFFICE FOR CHILDREN SHALL~~  
3 ~~REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31 OF EACH YEAR,~~  
4 ~~IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE~~  
5 ~~IMPLEMENTATION AND EFFECTIVENESS OF AT RISK YOUTH DELINQUENCY~~  
6 ~~PREVENTION AND DIVERSION PROGRAMS FUNDED UNDER THIS SUBTITLE.~~

7 SECTION 2. AND BE IT FURTHER ENACTED, That:

8 (1) it is the intent of the General Assembly that the Governor shall  
9 include at least \$10,000,000 in the fiscal year 2008 State budget and, in the State  
10 budget for each fiscal year thereafter, shall include sufficient funds to maintain  
11 support for the programs implemented under this Act; and

12 (2) federal funds, general funds, and private resources may be used to  
13 meet the funding specified in this section.

14 SECTION 3. AND BE IT FURTHER ENACTED, That the Governor's Office for  
15 Children shall report to the General Assembly on or before December 31 of each year, in  
16 accordance with § 2-1246 of the State Government Article, on the implementation and  
17 effectiveness of at-risk youth prevention and diversion programs.

18 SECTION ~~2-3.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take  
19 effect July 1, 2006.