

BY: Conference Committee

AMENDMENTS TO HOUSE BILL NO. 318
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “obtained” and substitute “requested”; in the same line, after “purposes;” insert “providing certain procedures for applying for, issuing, and challenging a certain criminal history records check;”; in line 8, after “hire;” insert “defining certain terms;”; and after line 10, insert:

“BY renumbering

Article - Public Utility Companies
Section 10-101(b) through (f), respectively
to be Section 10-101(d) through (h), respectively
Annotated Code of Maryland
(1998 Volume)

BY adding to

Article - Public Utility Companies
Section 10-101(b) and (c)
Annotated Code of Maryland
(1998 Volume)”.

AMENDMENT NO. 2

On page 1, in line 17, after “That” insert “Section(s) 10-101(b) through (f), respectively, of Article - Public Utility Companies of the Annotated Code of Maryland be renumbered to be Section(s) 10-101(d) through (h), respectively.”

SECTION 2. AND BE IT FURTHER ENACTED, That”;

(Over)

and after line 18, insert:

“10-101.

(B) “CENTRAL REPOSITORY” HAS THE MEANING STATED IN ARTICLE 27, § 743 OF THE CODE.

(C) “CRIMINAL JUSTICE INFORMATION SYSTEM” HAS THE MEANING STATED IN ARTICLE 27, § 743 OF THE CODE.”.

On page 3, in lines 8 and 14, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.

AMENDMENT NO. 3

On page 2, in line 34, after “(E)” insert “(1) A DRIVER EMPLOYED OR OFFERED EMPLOYMENT BY”.

On pages 2 and 3, strike beginning with “OBTAIN” in line 35 on page 2 through “THROUGH” in line 1 on page 3 and substitute “APPLY TO”.

On page 3, in line 2, after “SYSTEM” insert “CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FOR A STATE CRIMINAL HISTORY RECORDS CHECK ON OR BEFORE THE FIRST DAY OF THE DRIVER’S ACTUAL EMPLOYMENT.”

(2) AS PART OF THE APPLICATION FOR A STATE CRIMINAL HISTORY RECORDS CHECK, THE DRIVER EMPLOYED OR OFFERED EMPLOYMENT BY THE GOVERNMENTAL UNIT OR NOT-FOR-PROFIT ORGANIZATION SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(I) ONE COMPLETE SET OF THE DRIVER’S LEGIBLE FINGERPRINTS TAKEN ON A FORM APPROVED BY THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES; AND

(II) THE FEE AUTHORIZED UNDER ARTICLE 27, § 746(B)(8) OF THE CODE FOR ACCESS TO STATE CRIMINAL HISTORY RECORDS.

(3) (I) IN ACCORDANCE WITH ARTICLE 27, §§ 742 THROUGH 755 OF THE CODE, THE CENTRAL REPOSITORY SHALL PROVIDE A PRINTED STATEMENT

LISTING THE DRIVER'S CRIMINAL CONVICTIONS TO:

1. THE GOVERNMENTAL UNIT OR NOT-FOR-PROFIT ORGANIZATION; AND

2. THE DRIVER.

(II) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY RECORDS CHECK, THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY SHALL PROVIDE A REVISED PRINTED STATEMENT LISTING THE DRIVER'S CRIMINAL CONVICTIONS TO:

1. THE GOVERNMENTAL UNIT OR NOT-FOR-PROFIT ORGANIZATION; AND

2. THE DRIVER.

(4) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, THE GOVERNMENTAL UNIT OR NOT-FOR-PROFIT ORGANIZATION SHALL VERIFY PERIODICALLY A LIST OF ITS DRIVERS.

(5) INFORMATION THE GOVERNMENTAL UNIT OR NOT-FOR-PROFIT ORGANIZATION OBTAINS FROM THE CENTRAL REPOSITORY UNDER THIS SUBSECTION SHALL BE:

(I) CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND

(II) USED ONLY FOR THE EMPLOYMENT PURPOSE AUTHORIZED BY THIS SECTION.

(6) IN ACCORDANCE WITH ARTICLE 27, § 752 OF THE CODE, A DRIVER EMPLOYED BY A GOVERNMENTAL UNIT OR NOT-FOR-PROFIT ORGANIZATION MAY CHALLENGE THE CONTENTS OF A PRINTED STATEMENT OR REVISED PRINTED STATEMENT ISSUED BY THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY”;

in line 9, after the first “a” insert “driver for a”; in line 11, strike “obtain” and substitute “apply for”; and in the same line, strike “of a driver who” and substitute “if the driver”.