

SENATE BILL 646

E4

3lr3002
CF 3lr2032

By: **Senators Jennings and Klausmeier**
Introduced and read first time: February 1, 2013
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Handgun Permit Background Check – Armored Car Company**
3 **Employees**

4 FOR the purpose of authorizing the Secretary of State Police to accept certain
5 background checks from certain armored car companies in place of a certain
6 criminal history records check performed by the Department of Public Safety
7 and Correctional Services under certain circumstances; and generally relating
8 to handgun permit background checks.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 5–305
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2012 Supplement)

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

16 **Article – Public Safety**

17 5–305.

18 (a) In this section, “Central Repository” means the Criminal Justice
19 Information System Central Repository of the Department of Public Safety and
20 Correctional Services.

21 (b) **[The] EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION,**
22 **THE** Secretary shall apply to the Central Repository for a State and national criminal
23 history records check for each applicant for a permit.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) As part of the application for a criminal history records check, the
2 Secretary shall submit to the Central Repository:

3 (1) two complete sets of the applicant's legible fingerprints taken on
4 forms approved by the Director of the Central Repository and the Director of the
5 Federal Bureau of Investigation;

6 (2) the fee authorized under § 10-221(b)(7) of the Criminal Procedure
7 Article for access to Maryland criminal history records; and

8 (3) the mandatory processing fee required by the Federal Bureau of
9 Investigation for a national criminal history records check.

10 (d) In accordance with §§ 10-201 through 10-234 of the Criminal Procedure
11 Article, the Central Repository shall forward to the applicant and the Secretary a
12 printed statement of the applicant's criminal history record information.

13 (e) Information obtained from the Central Repository under this section:

14 (1) is confidential and may not be disseminated; and

15 (2) shall be used only for the licensing purpose authorized by this
16 section.

17 (f) The subject of a criminal history records check under this section may
18 contest the contents of the printed statement issued by the Central Repository as
19 provided in § 10-223 of the Criminal Procedure Article.

20 **(G) FOR AN EMPLOYEE OF AN ARMORED CAR COMPANY WHO IS AN**
21 **APPLICANT FOR A PERMIT, THE SECRETARY MAY ACCEPT A BACKGROUND**
22 **CHECK PERFORMED BY THE ARMORED CAR COMPANY IN PLACE OF THE**
23 **CRIMINAL HISTORY RECORDS CHECK REQUIRED BY THIS SECTION IF:**

24 **(1) THE BACKGROUND CHECK MEETS THE MINIMUM**
25 **REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF STATE POLICE; AND**

26 **(2) THE SECRETARY PERFORMS A CURSORY CHECK TO VERIFY**
27 **THE FACTS LISTED IN THE BACKGROUND CHECK.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2013.