

Article - Business Regulation

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§12-204.

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

(b) Applicants for licenses under § 12-201 of this subtitle and individuals whose names must be submitted to the Secretary under § 12-203 of this subtitle shall apply to the Central Repository for a national and State criminal history records check on a form approved by the Director of the Central Repository.

(c) The Central Repository shall provide to the Secretary:

(1) the national and State criminal history records of each individual requiring a criminal history records check under subsection (b) of this section and issue a printed statement listing any convictions and pleas of guilty or nolo contendere to any criminal charge;

(2) an update of the initial criminal history records check for an individual requiring a criminal history records check and issue a revised printed statement listing any convictions and pleas of guilty or nolo contendere to any criminal charge occurring in the State after the date of the initial criminal history records check; and

(3) an acknowledged receipt of the application for a criminal history records check by an individual requiring a criminal history records check.

(d) An individual requiring a criminal history records check shall submit a complete set of legible fingerprints taken at any designated State or local law enforcement office in the State or other agency or location approved by the Secretary of the Department of Public Safety and Correctional Services to the Central Repository.

(e) An individual requiring a criminal history records check under subsection (b) of this section shall pay:

(1) the mandatory processing fee required by the Federal Bureau of Investigation for a national criminal history records check; and

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

(f) A dealer or an applicant may pay for the costs borne by the employee or other individual requiring a criminal history records check under subsection (b) of this section.

(g) (1) Information obtained by the Secretary from the Central Repository

under Title 12 of this article shall be confidential and may be disseminated only to the individual who is the subject of the criminal history records check.

(2) Nothing in paragraph (1) of this subsection shall preclude the Secretary from notifying a dealer or an applicant of the approval or disqualification of the employee for employment based on information obtained by the Secretary under this section.

(h) The Secretary shall verify periodically the continued employment or licensure of individuals requiring criminal history records checks in accordance with regulations adopted by the Secretary of the Department of Public Safety and Correctional Services.

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