

Article - Public Safety

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§3–305.

(a) (1) The Secretary shall investigate the character, reputation, and qualifications of each applicant for a commission.

(2) The investigation shall include an investigation of the applicant's criminal record, including checking records of local police departments and the Federal Bureau of Investigation.

(3) The Secretary shall conduct the investigation in accordance with rules and regulations adopted by the Secretary.

(b) (1) On completion of the investigation, the Secretary shall notify the applicant of the final decision of the Secretary on whether to recommend the denial or the granting of the application to the Governor.

(2) Any person aggrieved by a final decision of the Secretary to recommend the denial of an application under this section may take an appeal as a contested case in accordance with Title 10, Subtitle 2 of the State Government Article.

(c) (1) The Secretary shall transmit to the Governor:

(i) the results of the investigation;

(ii) a recommendation on denying or granting the application;

(iii) the reasons for the recommendation; and

(iv) the final disposition of any appeal made by an aggrieved person described in subsection (b)(2) of this section.

(2) The Governor may accept the recommendation of the Secretary but need not issue a commission approved by the Secretary if the Governor believes it not to be in the best interest of the State to do so.

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