

Article - State Personnel and Pensions

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§2–203. IN EFFECT

(a) Notwithstanding any other provision of law, and except as provided in subsection (c) of this section, this section applies to all employees in the Judicial, Legislative, and Executive branches of State government.

(b) This section does not apply to:

(1) a position in the Department of Public Safety and Correctional Services;

(2) a position for which an appointing authority has a statutory duty to conduct a criminal history records check; or

(3) a position in the office of the sheriff for any county.

(c) Except for a position in the State Personnel Management System for which the Secretary determines that the specific duties and responsibilities of the position would require the appointing authority to know an applicant's criminal history, an appointing authority may not inquire into the criminal record or criminal history of an applicant for employment until the applicant has been provided an opportunity for an interview.

(d) This section does not prohibit an appointing authority from notifying an applicant for employment that certain prior criminal convictions may prohibit employment in some positions.

(e) The Department shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, by October 1 of each year for the previous fiscal year on:

(1) the total number of positions that have been filled in the State Personnel Management System; and

(2) the number of positions that have been designated as exceptions by the Secretary under subsection (c) of this section, by agency and position classification.

2–203. // EFFECTIVE JUNE 30, 2018 PER CHAPTER 160 OF 2013 //

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