



TESTIMONY FOR SB0054
**Occupational Licensing and Certification – Criminal History – Prohibited
Disclosures and Predetermination Review Process**

Bill Sponsor: Senator Carter

Committee: Finance

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in strong support of SB0054 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Given how many people that have been incarcerated in Maryland for minor offenses as well as the desperate need that the state has for licensed workers in health care and many other areas, it would make sense that those minor convictions not preclude former incarcerated persons from obtaining a license. This bill, if enacted, would preclude agencies from denying licenses and certificates to applicants for offenses where -

- There was a deferred adjudication
- They participated in a diversion program
- The arrest was not followed by a conviction
- There was a conviction but no term of imprisonment was imposed
- There was a conviction but it was expunged
- The applicant was a juvenile
- The conviction was for a misdemeanor that did not involve harm to another person
- The applicant was convicted and completed their sentence and three years have passed since they finished serving

The agency can deny the license if it is felt that the applicant would pose a threat to public safety or to specific individuals or property.

The agency can take into account the applicant's education, training and employment history before and after their sentence as well as whether the license or certificate requires the applicant to be bonded. The applicant can also file a request to get a preliminary determination as to whether their criminal

history would preclude them from getting the license or certificate. The request would require a \$100 fee, which would be waived if the applicant's income is at or below 300% of the Federal poverty limit.

Our members believe that everyone should be given a chance to be gainfully employed unless they are a danger to the public. It is important to allow persons who have made mistakes and paid for them to become a functioning part of our society.

We strongly support this bill and recommend a **FAVORABLE** report in committee.