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26 subtitle;

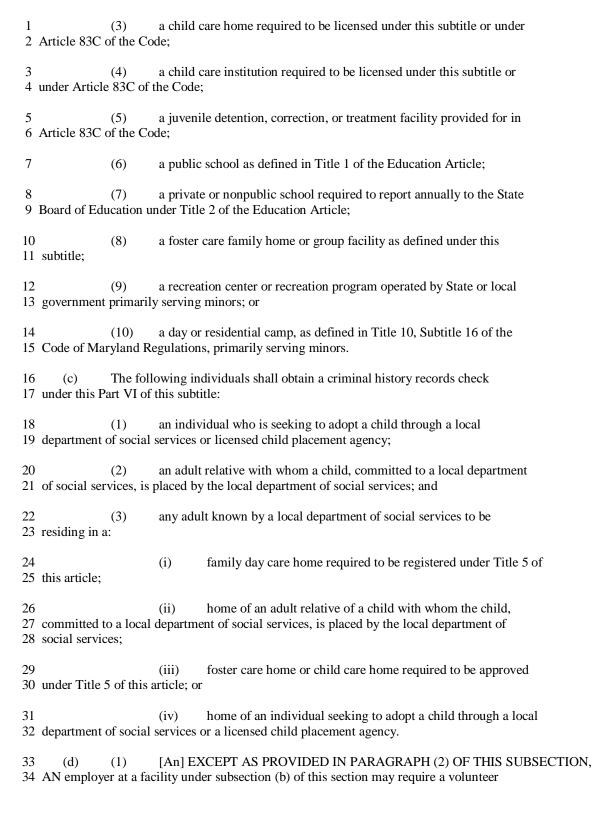
(2)

1999 Regular Session 9lr0520

By: Senator Ferguson Introduced and read first time: January 29, 1999 Assigned to: Judicial Proceedings A BILL ENTITLED 1 AN ACT concerning 2 Criminal History Records Checks - Volunteers at Recreation Centers and 3 **Programs Operated by Local Governments** 4 FOR the purpose of providing that a volunteer at certain recreation centers or 5 programs operated by a local government may not be required by another volunteer to authorize or obtain a criminal history records check; and generally 6 7 relating to criminal history records checks for certain volunteers. BY repealing and reenacting, with amendments, 8 Article - Family Law 10 Section 5-561 11 Annotated Code of Maryland 12 (1991 Replacement Volume and 1998 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 13 14 MARYLAND, That the Laws of Maryland read as follows: 15 **Article - Family Law** 16 5-561. 17 Notwithstanding any provision of law to the contrary, an employee and (a) 18 employer in a facility identified in subsection (b) of this section and persons identified 19 in subsection (c) of this section shall apply for a national and State criminal history 20 records check at any designated law enforcement office in this State. 21 The following facilities shall require employees and employers to obtain a 22 criminal history records check under this Part VI of this subtitle: a child care center required to be licensed under Part VII of this 23 (1) 24 subtitle;

a family day care home required to be registered under Part V of this

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26 (g) of this section.

28 October 1, 1999.

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- 1 at the facility to obtain a criminal history records check under this Part VI of this 2 subtitle. 3 A VOLUNTEER AT A RECREATION CENTER OR RECREATION 4 PROGRAM OPERATED BY A LOCAL GOVERNMENT PRIMARILY SERVING MINORS MAY 5 NOT BE REQUIRED BY ANOTHER VOLUNTEER TO AUTHORIZE OR OBTAIN A CRIMINAL 6 HISTORY RECORDS CHECK UNDER THIS PART VI OF THIS SUBTITLE. 7 A local department of social services may require a volunteer of that 8 department who works with children to obtain a criminal history records check under 9 this Part VI of this subtitle. 10 An employer at a facility not identified in subsection (b) of this section who 11 employs individuals to work with children may require employees, including 12 volunteers, to obtain a criminal history records check under this Part VI of this 13 subtitle. 14 (g) A person who is required to have a criminal history records check under 15 this Part VI of this subtitle shall pay for: 16 the mandatory processing fee required by the Federal Bureau of (1)17 Investigation for a national criminal history records check; reasonable administrative costs to the Department, not to exceed 18 19 10% of the processing fee; and the fee authorized under Article 27, § 746(b)(8) of the Code for access 21 to Maryland criminal history records. 22 (h) (1) An employer or other party may pay for the costs borne by the 23 employee or other individual under subsection (g) of this section. 24 The local department of social services shall reimburse an adult 25 residing in a foster care home for the costs borne by the individual under subsection
- 27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect