

Department of Legislative Services  
Maryland General Assembly  
2002 Session

FISCAL NOTE  
Revised

House Bill 101 (Chairman, Judiciary Committee)  
(Departmental – Public Safety and Correctional Services)  
Judiciary Judicial Proceedings

Criminal Justice Information Advisory Board - Membership

This departmental bill increases the membership of the Criminal Justice Information Advisory Board from 18 to 22 members by adding: (1) one member of the State Council on Child Abuse and Neglect; (2) one representative of the Department of Health and Mental Hygiene; (3) one representative of the Department of Juvenile Justice; and (4) one representative of the Motor Vehicle Administration.

Fiscal Summary

**State Effect:** Any additional expense reimbursements for advisory board members are assumed to be minimal and absorbable within existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** The Department of Public Safety and Correctional Services (DPSCS) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

**Current Law:** The Criminal Justice Information Advisory Board is in the DPSCS for administrative and budgetary purposes only. It consists of the following 18 members:

- one member of the Senate appointed by the President;
- one member of the House of Delegates appointed by the Speaker;

- three members from the judicial branch of State government appointed by the Chief Judge of the Court of Appeals;
- the Executive Director of the Governor’s Office of Crime Control and Prevention;
- three members recommended by the Secretary of DPSCS;
- two members who are executive officials from State, county, or municipal police units;
- the Director of the Maryland Justice Analysis Center of the Department of Criminology and Criminal Justice of the University of Maryland;
- two elected county officials;
- the Attorney General;
- one elected official of a municipal corporation;
- one State’s attorney; and
- one member from the public.

All members are appointed by the Governor, except for ex officio members and members appointed by the President of the Senate, the Speaker of the House, or the Chief Judge of the Court of Appeals. All members serve a three-year term without compensation, but are entitled to expense reimbursements under the standard State travel regulations.

**Background:** The advisory board provides oversight of the Criminal Justice Information System (CJIS), and provides advice and recommendations to the Secretary of Public Safety and Correctional Services and the Chief Judge of the Court of Appeals.

CJIS is the database containing the criminal history record information reflecting the official fingerprint-supported criminal record of each offender charged and adjudicated in Maryland. The CJIS Central Repository is administratively managed by DPSCS and is designated by the FBI as Maryland’s State identification bureau for the exchange of criminal history records.

In recent years the scope of authorized and mandated record checks has expanded into areas with noncriminal justice purposes. These areas include a range of business and professional licensing purposes as well as employment in various childcare, educational, and recreational settings. Federal laws have expanded criminal history record checks to include caregivers who serve children, the elderly, and the disabled. Since 1994 the repository has housed fingerprint-supported records of certain juveniles adjudicated delinquent for some serious crimes. The repository has housed records of the issuance and withdrawal of juvenile writs of attachment since 1998.

## **Additional Information**

**Prior Introductions:** In 2001, HB 1382 passed the House, had a hearing before the Senate Judicial Proceedings Committee, and had no further action taken on it.

**Cross File:** None.

**Information Source(s):** Department of Public Safety and Correctional Services,  
Department of Legislative Services

**Fiscal Note History:** First Reader - January 21, 2002  
lsc/cer Revised - House Third Reader - March 19, 2002

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