

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 881

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Checks” insert “and Background Investigations”; strike beginning with “from” in line 5 down through the second “agencies” in line 6 and substitute “or background investigations”; in line 7, after the first “County” insert “under certain circumstances”; strike beginning with “either” in line 8 down through “or” in line 9 and substitute “to an”; in line 9, strike the second “agencies” and substitute “agency under certain circumstances”; in line 10, after “regulations;” insert “defining a certain term;”; and in line 11, after “checks” insert “and background investigations”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“(A) IN THIS SECTION, “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.”;

in lines 22 and 28, in each instance, strike “(A)” and substitute “(B)”; in line 22, after “REQUEST” insert “WITH REFERENCE TO A PROSPECTIVE EMPLOYEE OF WASHINGTON COUNTY:”

(1)”;

in line 24, strike “OR THROUGH” and substitute “; OR”

(2) A BACKGROUND INVESTIGATION FROM”;

strike beginning with “FOR” in line 24 down through “COUNTY” in line 25; after line 25, insert:

“(C) (1) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY”

(Over)

RECORDS CHECK, THE COUNTY ADMINISTRATOR OF WASHINGTON COUNTY SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(I) TWO COMPLETE SETS OF THE PROSPECTIVE EMPLOYEE'S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(II) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(III) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(2) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-234 OF THE CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE PROSPECTIVE EMPLOYEE AND THE COUNTY ADMINISTRATOR OF WASHINGTON COUNTY THE PROSPECTIVE EMPLOYEE'S CRIMINAL HISTORY RECORD INFORMATION.

(3) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(I) IS CONFIDENTIAL AND MAY NOT BE REDISSEMINATED;
AND

(II) MAY BE USED ONLY FOR THE EMPLOYMENT PURPOSE AUTHORIZED BY THIS SECTION.

(4) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.”;

in line 26, strike “(B)” and substitute “(D)”; and in line 27, strike “THE DEPARTMENT OR”.

On page 2, in line 1, strike “(C)” and substitute “(E)”.