
By: **Delegates Kelly, Edwards, McKee, Myers, Shank, and Weldon**

Introduced and read first time: January 23, 2004

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2004

CHAPTER _____

1 AN ACT concerning

2 **State Employees - Department of Public Safety and Correctional Services**
3 **and the Department of State Police - Denial of Employment**

4 FOR the purpose of requiring the Department of Public Safety and Correctional
5 Services and the Department of State Police to provide certain written
6 information to an applicant for employment who is denied employment based, in
7 whole or in part, on information contained in a report resulting from a search of
8 federal, state, or local criminal justice records; and generally relating to
9 applicants for State employment.

10 BY adding to
11 Article - Correctional Services
12 Section 2-119
13 Annotated Code of Maryland
14 (1999 Volume and 2003 Supplement)

15 BY adding to
16 Article - Public Safety
17 Section 2-402(c)
18 Annotated Code of Maryland
19 (2003 Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Correctional Services

2 2-119.

3 IF AN APPLICANT FOR EMPLOYMENT WITH THE DEPARTMENT IS DENIED
4 EMPLOYMENT BASED, IN WHOLE OR IN PART, ON INFORMATION CONTAINED IN A
5 REPORT RESULTING FROM A SEARCH OF NATIONAL, STATE, OR LOCAL CRIMINAL
6 JUSTICE RECORDS, THE DEPARTMENT, ON WRITTEN REQUEST OF THE APPLICANT,
7 SHALL PROVIDE TO THE APPLICANT A WRITTEN STATEMENT OF THE SPECIFIC
8 INFORMATION FROM THE REPORT ON WHICH THE EMPLOYMENT DECISION WAS
9 BASED.

10

Article - Public Safety

11 2-402.

12 (C) IF AN APPLICANT FOR EMPLOYMENT WITH THE DEPARTMENT IS DENIED
13 EMPLOYMENT BASED, IN WHOLE OR IN PART, ON INFORMATION CONTAINED IN A
14 REPORT RESULTING FROM A SEARCH OF NATIONAL, STATE, OR LOCAL CRIMINAL
15 JUSTICE RECORDS, THE DEPARTMENT, ON WRITTEN REQUEST OF THE APPLICANT,
16 SHALL PROVIDE TO THE APPLICANT A WRITTEN STATEMENT OF THE SPECIFIC
17 INFORMATION FROM THE REPORT ON WHICH THE EMPLOYMENT DECISION WAS
18 BASED.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
20 effect October 1, 2004.