
By: **Prince George's County Delegation**

Introduced and read first time: February 4, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Employees - Criminal History Records Checks**
3 **PG 314-04**

4 FOR the purpose of authorizing the County Administrator of Prince George's County
5 to request State or national criminal history records checks from the Criminal
6 Justice Information System Central Repository for certain prospective
7 employees; requiring the County Administrator to pay the Department of Public
8 Safety and Correctional Services certain fees; and generally relating to
9 employee criminal history records checks in Prince George's County.

10 BY repealing and reenacting, without amendments,
11 Article - Criminal Procedure
12 Section 1-101(f) and 10-201(c) and (d)
13 Annotated Code of Maryland
14 (2001 Volume and 2003 Supplement)

15 BY adding to
16 Article - Criminal Procedure
17 Section 10-236
18 Annotated Code of Maryland
19 (2001 Volume and 2003 Supplement)

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

22 **Article - Criminal Procedure**

23 1-101.

24 (f) "Department" means the Department of Public Safety and Correctional
25 Services.

1 10-201.

2 (c) "Central Repository" means the Criminal Justice Information System
3 Central Repository established under § 10-213 of this subtitle.

4 (d) (1) "Criminal history record information" means data that are developed
5 or collected by a criminal justice unit about a person and that pertain to a reportable
6 event.

7 (2) "Criminal history record information" includes:

8 (i) data from a unit that is required to report to the Central
9 Repository under Title 3 of this article;

10 (ii) data about a person following waiver of jurisdiction by a
11 juvenile court; and

12 (iii) data described under §§ 10-215(a)(21) and (22) and 10-216 of
13 this subtitle.

14 (3) "Criminal history record information" does not include:

15 (i) data contained in intelligence or investigatory files or police
16 work product records used only for police investigations;

17 (ii) except as provided in paragraph (2)(ii) and (iii) of this
18 subsection, data about a proceeding under Title 3, Subtitle 8A of the Courts Article;

19 (iii) wanted posters, police blotter entries, court records of public
20 judicial proceedings, or published court opinions;

21 (iv) data about a violation of:

22 1. a traffic law of this State or any other traffic law,
23 ordinance, or regulation;

24 2. a local ordinance or a State or local regulation; or

25 3. the Natural Resources Article or a public local law;

26 (v) data about the point system established by the Motor Vehicle
27 Administration under Title 16 of the Transportation Article; or

28 (vi) a presentence investigation report or other report that a
29 probation department prepares for a court to use in the exercise of criminal
30 jurisdiction or for the Governor to use in the exercise of the Governor's power to grant
31 a pardon, reprieve, commutation, or nolle prosequi.

1 10-236.

2 (A) THE COUNTY ADMINISTRATOR OF PRINCE GEORGE'S COUNTY MAY
3 REQUEST A STATE OR NATIONAL CRIMINAL HISTORY RECORDS CHECK FROM THE
4 CENTRAL REPOSITORY FOR A PROSPECTIVE EMPLOYEE OF PRINCE GEORGE'S
5 COUNTY.

6 (B) THE COUNTY ADMINISTRATOR OF PRINCE GEORGE'S COUNTY SHALL PAY
7 TO THE DEPARTMENT THE FEE THAT THE DEPARTMENT IMPOSES FOR EACH
8 REQUEST MADE UNDER SUBSECTION (A) OF THIS SECTION.

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