
By: **Delegate Kelly**

Introduced and read first time: January 21, 2005

Assigned to: Appropriations

A BILL ENTITLED

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 2004 Supplement)

15 BY adding to

16 Article - Public Safety
17 Section 2-402(c)
18 Annotated Code of Maryland
19 (2003 Volume and 2004 Supplement)

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

22 **Article - Correctional Services**

23 2-119.

24 IF AN APPLICANT FOR EMPLOYMENT WITH THE DEPARTMENT IS DENIED
25 EMPLOYMENT BASED, IN WHOLE OR IN PART, ON INFORMATION CONTAINED IN A
26 REPORT RESULTING FROM A SEARCH OF NATIONAL, STATE, OR LOCAL CRIMINAL
27 JUSTICE RECORDS, THE DEPARTMENT, ON WRITTEN REQUEST OF THE APPLICANT,
28 SHALL PROVIDE TO THE APPLICANT A WRITTEN STATEMENT OF THE SPECIFIC

1 INFORMATION FROM THE REPORT ON WHICH THE EMPLOYMENT DECISION WAS
2 BASED.

3

Article - Public Safety

4 2-402.

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

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2005.