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By: **The President (By Request - Administration)**

Introduced and read first time: January 21, 2005

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2                           **Criminal Procedure - Criminal Justice Information Advisory Board -**  
3                           **Membership and Duties**

4 FOR the purpose of establishing a new termination date for the Commission on Public  
5 Safety Technology and Critical Infrastructure and transferring certain members  
6 and duties of the Commission to the Criminal Justice Information Advisory  
7 Board; adding members to the Criminal Justice Information Advisory Board;  
8 requiring the Board to make certain recommendations and to consult and  
9 cooperate with certain governmental units; requiring the Board to submit an  
10 annual report on or before a certain date to the Governor and the General  
11 Assembly; and generally relating to the Criminal Justice Information Advisory  
12 Board.

13 BY repealing and reenacting, with amendments,  
14 Chapter 277 of the Acts of the General Assembly of 2002  
15 Section 2

16 BY repealing and reenacting, with amendments,  
17 Article - Criminal Procedure  
18 Section 10-208(a) and 10-210  
19 Annotated Code of Maryland  
20 (2001 Volume and 2004 Supplement)

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

23                           **Chapter 277 of the Acts of 2002**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 July 1, 2002. It shall remain effective for a period of [4] 3 years and, at the end of  
26 June 30, [2006] 2005, with no further action required by the General Assembly, this  
27 Act shall be abrogated and of no further force and effect.

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**Article - Criminal Procedure**

2 10-208.

3 (a) The Advisory Board consists of the following [22] 24 members:

4 (1) one member of the Senate appointed by the President;

5 (2) one member of the House of Delegates appointed by the Speaker;

6 (3) three members from the Judicial Branch of State government  
7 appointed by the Chief Judge of the Court of Appeals;8 (4) the Executive Director of the Governor's Office of Crime Control and  
9 Prevention;

10 (5) three members recommended by the Secretary;

11 (6) two members who are executive officials from State, county, or  
12 municipal police units;13 (7) the Director of the Maryland Justice Analysis Center of the  
14 Department of Criminology and Criminal Justice of the University of Maryland;

15 (8) two elected county officials;

16 (9) the Attorney General;

17 (10) one elected official of a municipal corporation;

18 (11) one State's Attorney;

19 (12) one member of the State Council on Child Abuse and Neglect  
20 recommended by the Council chairperson;21 (13) one representative of the Department of Health and Mental Hygiene,  
22 recommended by the Secretary of Health and Mental Hygiene;23 (14) one representative of the Department of Juvenile Services  
24 recommended by the Secretary of Juvenile Services;25 (15) one representative from the Motor Vehicle Administration  
26 recommended by the Secretary of Transportation; [and]

27 (16) THE STATE CHIEF INFORMATION OFFICER;

28 (17) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF  
29 HOMELAND SECURITY; AND

30 (18) one member from the public.

1 10-210.

2 The Advisory Board shall:

3 (1) advise the Secretary, the Court of Appeals, and the Chief Judge of the  
4 Court of Appeals on:

5 (I) the development, operation, and maintenance of the criminal  
6 justice information system; AND

7 (II) STANDARDS, PROCEDURES, OR PROTOCOLS TO ENSURE THE  
8 COMPATIBILITY AND INTEROPERABILITY OF COMMUNICATION AND INFORMATION  
9 MANAGEMENT SYSTEMS MAINTAINED BY THE JUDICIARY;

10 (2) propose and recommend regulations to the Secretary, INCLUDING  
11 STANDARDS, PROCEDURES, OR PROTOCOLS necessary:

12 (I) to develop, operate, and maintain the criminal justice  
13 information system; AND

14 (II) TO ENSURE THE COMPATIBILITY AND INTEROPERABILITY OF  
15 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY  
16 STATE PUBLIC SAFETY UNITS;

17 (3) propose and recommend rules, in conjunction with the Standing  
18 Committee on Rules of Practice and Procedure of the Court of Appeals, to the Court of  
19 Appeals and the Chief Judge of the Court of Appeals necessary to develop, operate,  
20 and maintain the criminal justice information system;

21 (4) monitor the operation of the criminal justice information system;  
22 [and]

23 (5) recommend:

24 (i) procedures and methods for criminal history record information  
25 to be used in the research, evaluation, and statistical analysis of criminal activity;  
26 [and]

27 (ii) any legislation necessary to implement, operate, and maintain  
28 the criminal justice information system; AND

29 (III) ANY LEGISLATION FOR CONSIDERATION BY THE GOVERNOR  
30 AND THE GENERAL ASSEMBLY AS NECESSARY TO IMPLEMENT THE  
31 RECOMMENDATIONS REGARDING COMPATIBILITY AND INTEROPERABILITY OF  
32 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY  
33 STATE, COUNTY, AND MUNICIPAL PUBLIC SAFETY UNITS; AND

34 (6) SUBMIT A REPORT ON INTEROPERABILITY ON OR BEFORE  
35 DECEMBER 1 OF EACH YEAR TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246  
36 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

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