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

Introduced and read first time: January 21, 2005

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2005

CHAPTER _____

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:

1

Chapter 277 of the Acts of 2002

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

6

Article - Criminal Procedure

7 10-208.

8 (a) The Advisory Board consists of the following [22] 24 25 members:

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

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

11 (3) three members from the Judicial Branch of State government
12 appointed by the Chief Judge of the Court of Appeals;13 (4) the Executive Director of the Governor's Office of Crime Control and
14 Prevention;

15 (5) three members recommended by the Secretary;

16 (6) two members who are executive officials from State, county, or
17 municipal police units;18 (7) the Director of the Maryland Justice Analysis Center of the
19 Department of Criminology and Criminal Justice of the University of Maryland;

20 (8) two elected county officials;

21 (9) the Attorney General;

22 (10) ~~one two~~ elected official of a municipal corporation officials from
23 separate municipal corporations;

24 (11) one State's Attorney;

25 (12) one member of the State Council on Child Abuse and Neglect
26 recommended by the Council chairperson;27 (13) one representative of the Department of Health and Mental Hygiene,
28 recommended by the Secretary of Health and Mental Hygiene;29 (14) one representative of the Department of Juvenile Services
30 recommended by the Secretary of Juvenile Services;31 (15) one representative from the Motor Vehicle Administration
32 recommended by the Secretary of Transportation; [and]

1 (16) THE STATE CHIEF INFORMATION OFFICER;

2 (17) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF
3 HOMELAND SECURITY; AND

4 (18) one member from the public.

5 10-210.

6 The Advisory Board shall:

7 (1) advise the Secretary, the Court of Appeals, and the Chief Judge of the
8 Court of Appeals on:

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

11 (II) STANDARDS, PROCEDURES, OR PROTOCOLS TO ENSURE THE
12 COMPATIBILITY AND INTEROPERABILITY OF COMMUNICATION AND INFORMATION
13 MANAGEMENT SYSTEMS MAINTAINED BY THE JUDICIARY;

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

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

18 (II) TO ENSURE THE COMPATIBILITY AND INTEROPERABILITY OF
19 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY
20 STATE PUBLIC SAFETY UNITS;

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

25 (4) monitor the operation of the criminal justice information system;
26 [and]

27 (5) recommend:

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

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

33 (III) ANY LEGISLATION FOR CONSIDERATION BY THE GOVERNOR
34 AND THE GENERAL ASSEMBLY AS NECESSARY TO IMPLEMENT THE
35 RECOMMENDATIONS REGARDING COMPATIBILITY AND INTEROPERABILITY OF

1 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY
2 STATE, COUNTY, AND MUNICIPAL PUBLIC SAFETY UNITS; AND

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

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