
By: **Senator Gladden**

Introduced and read first time: February 17, 2005

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Criminal History Records Check Costs - Reimbursement for**
3 **Volunteers**

4 FOR the purpose of waiving certain costs and fees for certain volunteers at certain
5 facilities and local departments of social services who are required to obtain a
6 criminal history records check; and generally relating to volunteers and criminal
7 history records checks.

8 BY repealing and reenacting, without amendments,
9 Article - Family Law
10 Section 5-561(d), (e), (f), (g), and (i)
11 Annotated Code of Maryland
12 (2004 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article - Family Law
15 Section 5-561(h)
16 Annotated Code of Maryland
17 (2004 Replacement Volume)

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

20 **Article - Family Law**

21 5-561.

22 (d) An employer at a facility under subsection (b) of this section may require a
23 volunteer at the facility to obtain a criminal history records check under this Part VI
24 of this subtitle.

25 (e) A local department of social services may require a volunteer of that
26 department who works with children to obtain a criminal history records check under
27 this Part VI of this subtitle.

1 (f) An employer at a facility not identified in subsection (b) of this section who
2 employs individuals to work with children may require employees, including
3 volunteers, to obtain a criminal history records check under this Part VI of this
4 subtitle.

5 (g) An employer, as defined in § 5-560(e)(2) of this subtitle, shall require an
6 employee, as defined in § 5-560(d)(2) of this subtitle, to obtain a criminal history
7 records check under this Part VI of this subtitle.

8 (h) (1) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (2) OF THIS
9 SUBSECTION, A person who is required to have a criminal history records check under
10 this Part VI of this subtitle shall pay for:

11 [(1)] (I) the mandatory processing fee required by the Federal Bureau of
12 Investigation for a national criminal history records check;

13 [(2)] (II) reasonable administrative costs to the Department, not to
14 exceed 10% of the processing fee; and

15 [(3)] (III) the fee authorized under § 10-221(b)(7) of the Criminal
16 Procedure Article for access to Maryland criminal history records.

17 (2) A VOLUNTEER UNDER SUBSECTIONS (D), (E), AND (F) OF THIS
18 SECTION IS NOT REQUIRED TO PAY FOR COSTS OR FEES UNDER PARAGRAPH (1)(II)
19 AND (III) OF THIS SUBSECTION.

20 (i) (1) An employer or other party may pay for the costs borne by the
21 employee or other individual under subsection (h) of this section.

22 (2) The local department of social services shall reimburse:

23 (i) an adult residing in a foster care home for the costs borne by the
24 individual under subsection (h) of this section; and

25 (ii) an individual described in subsection (c)(4)(ii) of this section for
26 the costs borne by the individual under subsection (h) of this section.

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