
By: **Senators Garagiola, Astle, Brochin, Dyson, Forehand, Giannetti,
Haines, Jacobs, Klausmeier, and Mooney**

Introduced and read first time: February 3, 2006

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Contractors with Criminal Convictions - Prohibitions on**
3 **Contracts**

4 FOR the purpose of requiring the State Board of Education to adopt regulations that
5 prohibit a county board of education from contracting with certain individuals
6 who have been convicted of certain crimes or who employ individuals who have
7 been convicted of certain crimes under certain circumstances; and generally
8 relating to prohibitions on contracts with certain contractors by county boards of
9 education.

10 BY adding to

11 Article - Education

12 Section 6-113.1

13 Annotated Code of Maryland

14 (2004 Replacement Volume and 2005 Supplement)

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

17 **Article - Education**

18 6-113.1.

19 (A) THE STATE BOARD SHALL ADOPT REGULATIONS THAT PROHIBIT A
20 COUNTY BOARD FROM CONTRACTING TO REPAIR, MAINTAIN, IMPROVE, OR BUILD
21 SCHOOL PROPERTY WHILE STUDENTS ARE PRESENT DURING REGULAR SCHOOL
22 HOURS IN THE SCHOOL YEAR WITH A PERSON WHO HAS BEEN CONVICTED OF OR
23 WHO EMPLOYS INDIVIDUALS WHO HAVE BEEN CONVICTED OF A CRIME INVOLVING:

24 (1) AN OFFENSE UNDER § 3-307 OF THE CRIMINAL LAW ARTICLE;

25 (2) CHILD SEXUAL ABUSE UNDER § 3-602 OF THE CRIMINAL LAW
26 ARTICLE, OR AN OFFENSE UNDER THE LAWS OF ANOTHER STATE THAT WOULD

1 CONSTITUTE CHILD SEXUAL ABUSE UNDER § 3-602 OF THE CRIMINAL LAW ARTICLE
2 IF COMMITTED IN THIS STATE; OR

3 (3) A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THE CRIMINAL
4 LAW ARTICLE, OR AN OFFENSE UNDER THE LAWS OF ANOTHER STATE THAT WOULD
5 BE A VIOLATION OF § 14-101 OF THE CRIMINAL LAW ARTICLE IF COMMITTED IN THIS
6 STATE.

7 (B) THE REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION
8 SHALL INCLUDE A REQUIREMENT THAT A STATE AND NATIONAL CRIMINAL HISTORY
9 RECORDS CHECK BE CONDUCTED ON EACH INDIVIDUAL EMPLOYED UNDER THIS
10 SECTION.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2006.