

CHAPTER 31

(Senate Bill 252)

AN ACT concerning

Anne Arundel County – Prospective or Current Employees or Volunteers – Criminal History Records Checks

FOR the purpose of altering the requirements for the ~~Director of Administration~~ Personnel Officer of Anne Arundel County to request State and national criminal records checks from the Criminal Justice Information System Central Repository for a prospective or current employee or volunteer; requiring the ~~Director of Administration~~ Personnel Officer of Anne Arundel County to submit certain items to the Central Repository; requiring the Central Repository to forward the prospective or current employee's or volunteer's criminal history information to the prospective or current employee or volunteer and the ~~Director of Administration~~ Personnel Officer of Anne Arundel County; providing that certain information obtained from the Central Repository is confidential, may not be redisseminated, and may only be used for a certain ~~employment~~ personnel-related purpose; authorizing the subject of a certain criminal history records check to contest the contents of a certain printed statement; ~~authorizing~~ requiring the County Council to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks for prospective or current employees or volunteers in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–231
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

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

Article – Criminal Procedure

10–231.

(a) **IN THIS SECTION, “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

(B) [In accordance with guidelines that the Anne Arundel County Council adopts by resolution, the] ~~THE Director of Administration~~ **PERSONNEL OFFICER** of

Anne Arundel County ~~[may request]~~ ~~SHALL APPLY TO~~ FROM THE CENTRAL REPOSITORY ~~FOR~~ a State and national criminal history records check [from the Central Repository] for ~~[a]~~ ~~EACH~~ prospective ~~employee~~ OR CURRENT EMPLOYEE OR VOLUNTEER of Anne Arundel County.

[(b) The Director of Administration shall pay to the Department the fee imposed by the Department for each request made under subsection (a) of this section.]

(C) (1) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY RECORDS CHECK, THE ~~DIRECTOR OF ADMINISTRATION~~ PERSONNEL OFFICER OF ANNE ARUNDEL COUNTY SHALL SUBMIT TO THE CENTRAL REPOSITORY:

(I) TWO COMPLETE SETS OF THE PROSPECTIVE ~~EMPLOYEE'S~~ OR CURRENT EMPLOYEE'S OR VOLUNTEER'S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

(II) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THIS SUBTITLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(III) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(2) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-250 OF THIS SUBTITLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE PROSPECTIVE ~~EMPLOYEE~~ OR CURRENT EMPLOYEE OR VOLUNTEER AND THE ~~DIRECTOR OF ADMINISTRATION~~ PERSONNEL OFFICER OF ANNE ARUNDEL COUNTY THE PROSPECTIVE ~~EMPLOYEE'S~~ OR CURRENT EMPLOYEE'S OR VOLUNTEER'S CRIMINAL HISTORY RECORD INFORMATION.

(3) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SECTION:

(I) IS CONFIDENTIAL AND MAY NOT BE REDISSEMINATED;
AND

(II) MAY BE USED ONLY FOR ~~THE EMPLOYMENT~~ A PERSONNEL-RELATED PURPOSE CONCERNING A PROSPECTIVE OR CURRENT EMPLOYEE OR VOLUNTEER OF THE COUNTY AS AUTHORIZED BY THIS SECTION.

(4) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THIS SUBTITLE.

(D) THE ANNE ARUNDEL COUNTY COUNCIL ~~MAY~~ SHALL ADOPT GUIDELINES TO CARRY OUT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, April 8, 2008.