

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 165

(Howard County Delegation)

Judiciary

Judicial Proceedings

**Howard County - Criminal History Records Checks - Fingerprinting
Requirement
Ho. Co. 05-08**

This bill requires the Howard County Administrator to submit two complete and legible sets of a prospective employee's fingerprints to the Central Repository of the Criminal Justice Information System (CJIS), as well as specified fees, pursuant to a State and federal criminal history records check on each applicant. The Central Repository is required to forward the prospective employee's criminal history record to the county administrator and the applicant.

Information obtained by the Central Repository is confidential, may not be disseminated, and may only be used for the employment purposes of these provisions. The bill allows the subject of such a records check to contest the contents of the printed statement issued by the Central Repository.

Fiscal Summary

State Effect: None.

Local Effect: The bill would bring statutory language into technical compliance with FBI standards for completing national criminal history records check requests made by Howard County for prospective employees of the county.

Small Business Effect: None.

Analysis

Current Law/Background: The Criminal Justice Information System Central Repository within the Department of Public Safety and Correctional Services collects, manages, and disseminates Maryland Criminal History Record Information (CHRI) for criminal justice and noncriminal justice (*e.g.*, employment and licensing) purposes.

CJIS is a fingerprint-supported system for positive identification. Fingerprints can be taken at many police departments, private organizations that have been certified by CJIS-CR, and the CJIS Customer Service Center at Reisterstown Road Plaza in Baltimore. Fingerprints may also be taken at MVA “Hazmat” sites. The CJIS Customer Service Center charges a \$20 flat fingerprinting fee and the Maryland State Police charges \$5.00 per fingerprint card to offset the cost of taking the fingerprints. Local police departments and private organizations charge varying fees for fingerprinting. One fingerprint card is required for a Maryland-only CHRI check; two fingerprint cards (Maryland/FBI) are needed for a State and national CHRI check.

When a state mandates a national check, the FBI requires that the national check be set in statute. The FBI charges a fee of \$19.25 for a national CHRI check. In the case of volunteers who work with children, the elderly, or the disabled, the FBI only charges an \$18.00 fee. The CJIS Central Repository collects the fee from the applicant and reimburses the FBI. The CJIS Central Repository is authorized by law to collect a fee for providing CHRI for purposes other than criminal justice. COMAR 12.15.01.14A sets the fee at \$18.00. Revenue from these fees is used to provide the service.

Representative costs to an applicant:

<u>State and National CHRI Check</u>	<u>Maryland CHRI Check</u>
\$19.25 FBI Fee	\$18.00 CJIS Fee
18.00 CJIS Fee	<u>20.00</u> Fingerprinting Fee
<u>20.00</u> Fingerprint Fee	\$38.00 Total
\$57.25 Total	

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services,
Department of Legislative Services

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Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510