

HOUSE BILL 549

E2

9lr1289
CF SB 104

By: **Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Aumann, Boteler, Cardin, DeBoy, Frank, Impallaria, Jones, Lafferty, Malone, McDonough, Minnick, Olszewski, Stein, and Weir**

Introduced and read first time: February 5, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Employees and Volunteers – Criminal History Records**
3 **Check**

4 FOR the purpose of authorizing the County Administrative Officer of Baltimore
5 County or a designee of the officer to request from the Central Repository a
6 State and national criminal history records check for a prospective or current
7 employee or volunteer of Baltimore County; requiring that the officer or
8 designee of the officer submit certain sets of fingerprints and fees to the Central
9 Repository as part of the application for a criminal history records check;
10 requiring the Central Repository to forward to the prospective or current
11 employee or volunteer and the officer or designee of the officer the prospective
12 or current employee's or volunteer's criminal history record information under
13 certain circumstances; establishing that information obtained from the Central
14 Repository under this Act is confidential, may not be redisseminated, and may
15 be used only for certain purposes; authorizing the subjects of a criminal history
16 records check under this Act to contest the contents of a certain printed
17 statement issued by the Central Repository; requiring the governing body of
18 Baltimore County to adopt guidelines to carry out this Act; defining a certain
19 term; and generally relating to criminal history records checks in Baltimore
20 County.

21 BY adding to
22 Article – Criminal Procedure
23 Section 10–231.1
24 Annotated Code of Maryland
25 (2008 Replacement Volume)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Criminal Procedure**

2 **10-231.1.**

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

6 (B) THE COUNTY ADMINISTRATIVE OFFICER OF BALTIMORE COUNTY
7 OR A DESIGNEE OF THE OFFICER MAY REQUEST FROM THE CENTRAL
8 REPOSITORY A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FOR
9 A PROSPECTIVE OR CURRENT EMPLOYEE OR VOLUNTEER OF BALTIMORE
10 COUNTY.

11 (C) (1) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY
12 RECORDS CHECK, THE COUNTY ADMINISTRATIVE OFFICER OF BALTIMORE
13 COUNTY OR THE DESIGNEE OF THE OFFICER SHALL SUBMIT TO THE CENTRAL
14 REPOSITORY:

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

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

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

24 (2) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-250 OF THIS
25 SUBTITLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE PROSPECTIVE
26 OR CURRENT EMPLOYEE OR VOLUNTEER AND THE COUNTY ADMINISTRATIVE
27 OFFICER OF BALTIMORE COUNTY OR THE DESIGNEE OF THE OFFICER THE
28 PROSPECTIVE OR CURRENT EMPLOYEE’S OR VOLUNTEER’S CRIMINAL HISTORY
29 RECORD INFORMATION.

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

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

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

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

8 **(D) THE GOVERNING BODY OF BALTIMORE COUNTY SHALL ADOPT**
9 **GUIDELINES TO CARRY OUT THIS SECTION.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2009.