

SENATE BILL 104

E2

9lr1250
CF 9lr1289

By: **Senator Stone**
Introduced and read first time: January 15, 2009
Assigned to: Judicial Proceedings

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 disseminated, 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:

28 **Article – Criminal Procedure**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **10-231.1.**

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

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

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

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

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

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

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

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

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