

CHAPTER 28

(House Bill 549)

AN ACT concerning

Baltimore County – Prospective Employees and Volunteers – Criminal History Records Check

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

BY adding to

Article – Criminal Procedure
Section 10-231.1
Annotated Code of Maryland
(2008 Replacement Volume)

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

Article – Criminal Procedure

10-231.1.

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

(B) THE COUNTY ADMINISTRATIVE OFFICER OF BALTIMORE COUNTY OR A DESIGNEE OF THE ~~OFFICER~~ COUNTY ADMINISTRATIVE OFFICER, WHICH SHALL BE THE DIRECTOR OF HUMAN RESOURCES OR THE DIRECTOR'S DESIGNEE, MAY REQUEST FROM THE CENTRAL REPOSITORY A STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK FOR A PROSPECTIVE ~~OR CURRENT~~ EMPLOYEE OR VOLUNTEER OF BALTIMORE COUNTY.

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

(I) TWO COMPLETE SETS OF THE PROSPECTIVE ~~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 ~~OR CURRENT~~ EMPLOYEE OR VOLUNTEER AND THE COUNTY ADMINISTRATIVE OFFICER OF BALTIMORE COUNTY OR THE DESIGNEE OF THE OFFICER THE PROSPECTIVE ~~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 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 GOVERNING BODY OF BALTIMORE COUNTY SHALL ADOPT GUIDELINES TO CARRY OUT THIS SECTION.

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

Approved by the Governor, April 14, 2009.