

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1385

(Chair, Judiciary Committee)(By Request - Departmental
- Juvenile Services)

Judiciary

Judicial Proceedings

**Juvenile Services - Employee Criminal History Record Information - Initial
Criminal History Records Check and Disclosure of New Information**

This departmental bill requires the Criminal Justice Information System (CJIS) Central Repository to provide to the Department of Juvenile Services (DJS) and the affected employee a revised printed statement of the employee's criminal history record information if new information is reported after the date of the initial records check. The bill also requires DJS to apply for an initial criminal history records check for an employee on or before the first day of employment.

Fiscal Summary

State Effect: None. The bill's requirements can be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: The Department of Juvenile Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Current Law: Within the first month of employment with the department, DJS must apply to the CJIS Central Repository for a federal and State criminal history records check for each employee. The CJIS Central Repository is required to provide the requested information.

The CJIS Central Repository is established by the Criminal Procedure Article, §§ 10-213 *et seq.*, within the Department of Public Safety and Correctional Services (DPSCS) to collect, manage, and disseminate Maryland Criminal History Record Information for criminal justice and noncriminal justice (*e.g.*, employment and licensing) purposes.

Background: DJS advises that it should be notified anytime an employee is arrested and/or convicted of any offense to ensure that the youth in its care and custody are protected. Under current law, DJS is not notified if an employee is arrested and/or convicted of any offense after the initial records check.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 11, 2009
ncs/kdm Revised - Enrolled Bill - May 15, 2009

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Juvenile Services – Employees Criminal History Record Information - Disclosure

BILL NUMBER: HB 1385

PREPARED BY: Department of Juvenile Services

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.