

# SENATE BILL 437

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CF HB 378

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By: **Senators Brinkley and Young**

Introduced and read first time: February 2, 2012

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Alcoholic Beverages – Follow-Up Criminal History**  
3 **Records Checks**

4 FOR the purpose of requiring the Criminal Justice Information System Central  
5 Repository of the Department of Public Safety and Correctional Services to  
6 provide the Board of License Commissioners of Frederick County with a revised  
7 printed criminal record statement of a license applicant or license holder if  
8 information is reported to the Central Repository after the initial criminal  
9 history records check is completed; requiring the Central Repository to stop  
10 providing the Board with revised printed statements under certain  
11 circumstances; and generally relating to alcoholic beverages licenses in  
12 Frederick County.

13 BY repealing and reenacting, with amendments,  
14 Article 2B – Alcoholic Beverages  
15 Section 10–103(b)(13)(v)  
16 Annotated Code of Maryland  
17 (2011 Replacement Volume)

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

20 **Article 2B – Alcoholic Beverages**

21 10–103.

22 (b) Except as otherwise provided in this subtitle, every new application for a  
23 license shall be made to the Board of License Commissioners on forms prescribed by  
24 the Comptroller and sworn to by the applicant. Every application for a license shall  
25 contain the following:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (13) (v) In Frederick County:

2 1. The Board of License Commissioners shall:

3 A. Obtain criminal records of alcoholic beverages license  
4 applicants from the Criminal Justice Information System Central Repository of the  
5 Department of Public Safety and Correctional Services;

6 B. Require applicants for alcoholic beverages licenses in  
7 the county to be fingerprinted; and

8 C. Forward the fingerprints through the Criminal  
9 Justice Information System Central Repository of the Department of Public Safety and  
10 Correctional Services for transmittal to the Federal Bureau of Investigation for a  
11 national criminal history records check[; and].

12 **2. WHEN CRIMINAL HISTORY RECORD INFORMATION**  
13 **OF AN APPLICANT OR LICENSE HOLDER IS REPORTED TO THE CRIMINAL**  
14 **JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT**  
15 **OF PUBLIC SAFETY AND CORRECTIONAL SERVICES AFTER THE INITIAL**  
16 **CRIMINAL HISTORY RECORDS CHECK IS COMPLETED, THE CENTRAL**  
17 **REPOSITORY SHALL PROVIDE THE BOARD OF LICENSE COMMISSIONERS WITH**  
18 **A REVISED PRINTED STATEMENT OF THE CRIMINAL RECORD OF THE APPLICANT**  
19 **OR LICENSE HOLDER.**

20 **3. IF THE BOARD OF LICENSE COMMISSIONERS**  
21 **INFORMS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL**  
22 **REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL**  
23 **SERVICES THAT AN INDIVIDUAL IS NO LONGER AN APPLICANT OR LICENSE**  
24 **HOLDER, THE CENTRAL REPOSITORY SHALL STOP PROVIDING THE BOARD**  
25 **WITH REVISED PRINTED STATEMENTS OF THE CRIMINAL RECORD OF THE**  
26 **INDIVIDUAL.**

27 [2.] 4. Applicants for license renewal may not be  
28 subject to these provisions.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 July 1, 2012.