

SENATE BILL 684

A1, A2

7lr0201
CF 7lr0202

By: **The President (By Request – Administration)**

Introduced and read first time: February 3, 2017

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Liquor Board Reform Act of 2017**

3 FOR the purpose of requiring certain boards of license commissioners, within certain
4 periods of time, to notify certain county Senate or House delegations to the Maryland
5 General Assembly and the Governor that a board position requires appointment;
6 requiring, within a certain period of time, a county Senate or House delegation to
7 nominate candidates for a board position in a signed letter to the Governor; altering
8 the time period within which the Mayor of Baltimore is required to fill a board
9 vacancy; repealing certain procedures for filling a board vacancy in Prince George’s
10 County; requiring the Wicomico County Liquor Control Board, within a certain
11 period of time, to notify the county Senate delegation to the Maryland General
12 Assembly and the Governor that a liquor control board position requires
13 appointment; requiring, within a certain period of time, the Wicomico County Senate
14 delegation to nominate candidates for a liquor control board position in a signed
15 letter to the Governor; altering the definition of “State official” as it applies to the
16 Maryland Public Ethics Law to include members of certain boards of license
17 commissioners and liquor control boards; requiring nominees for membership on
18 certain boards of license commissioners or liquor control boards to provide certain
19 information for a certain background investigation; and generally relating to the
20 appointment of boards of license commissioners and liquor control boards.

21 BY repealing and reenacting, without amendments,
22 Article – Alcoholic Beverages
23 Section 9–102, 11–102, 12–102, 14–102, 15–102, 21–102, 26–102, 28–102, 29–102,
24 30–102, 31–102, 32–102, and 33–102
25 Annotated Code of Maryland
26 (2016 Volume and 2016 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article – Alcoholic Beverages

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 9–202(a), 11–202(a), 12–202(a) and (e), 14–202(a), 15–202(a), 15–203(a),
2 21–202(a), 26–202(a) and (b), 28–202(a), 29–202(a), 30–202(a), 31–202(a),
3 32–202(a), 32–303(a), and 33–202(a)

4 Annotated Code of Maryland
5 (2016 Volume and 2016 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – General Provisions
8 Section 5–101(l)
9 Annotated Code of Maryland
10 (2014 Volume and 2016 Supplement)

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

13 **Article – Alcoholic Beverages**

14 9–102.

15 This title applies only in Allegany County.

16 9–202.

17 (a) (1) **[The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
18 appoint three members to the Board.

19 (2) **(I) AT LEAST 120 DAYS BEFORE A MEMBER’S TERM EXPIRES,**
20 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
21 **MEMBER’S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY’S SENATE**
22 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
23 **A BOARD POSITION REQUIRES APPOINTMENT.**

24 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
25 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
26 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
27 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

28 **(3)** The appointments shall be made:

29 (i) if the Senate is in session, with the advice and consent of the
30 Senate; or

31 (ii) if the Senate is not in session, **SUBJECT TO PARAGRAPH (2) OF**
32 **THIS SUBSECTION,** by the Governor alone.

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

4 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
5 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
6 **HISTORY RECORDS CHECK.**

7 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
8 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

9 **1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
10 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
11 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

12 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
13 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
14 **RECORDS; AND**

15 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
16 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
17 **RECORDS CHECK.**

18 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
19 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
20 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
21 **INFORMATION.**

22 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
23 **REPOSITORY UNDER THIS PARAGRAPH:**

24 **1. IS CONFIDENTIAL;**

25 **2. MAY NOT BE REDISSEMINATED; AND**

26 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
27 **ESTABLISHED UNDER THIS SUBSECTION.**

28 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
29 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
30 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
31 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

1 11-102.

2 This title applies only in Anne Arundel County.

3 11-202.

4 (a) (1) **[The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
5 appoint three members to the Board.

6 (2) **(I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
7 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
8 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**
9 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
10 **A BOARD POSITION REQUIRES APPOINTMENT.**

11 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
12 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
13 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
14 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

15 **(3) The appointments shall be made:**

16 (i) if the Senate is in session, with the advice and consent of the
17 Senate; or

18 (ii) if the Senate is not in session, **SUBJECT TO PARAGRAPH (2) OF**
19 **THIS SUBSECTION, by the Governor alone.**

20 **(4) (I) IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE**
21 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
22 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

23 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
24 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
25 **HISTORY RECORDS CHECK.**

26 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
27 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

28 1. **A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
29 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
30 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

1 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
2 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
3 **RECORDS; AND**

4 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
5 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
6 **RECORDS CHECK.**

7 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
8 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
9 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
10 **INFORMATION.**

11 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
12 **REPOSITORY UNDER THIS PARAGRAPH:**

13 **1. IS CONFIDENTIAL;**

14 **2. MAY NOT BE REDISSEMINATED; AND**

15 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
16 **ESTABLISHED UNDER THIS SUBSECTION.**

17 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
18 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
19 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
20 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

21 12-102.

22 This title applies only in Baltimore City.

23 12-202.

24 **(a) (1) [The] IN ACCORDANCE WITH THIS SUBSECTION, THE Mayor shall**
25 **appoint two regular members to the Board and the President of the City Council shall**
26 **appoint one regular member and one substitute member to the Board.**

27 **(2) (I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
28 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
29 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE MAYOR, THE PRESIDENT**
30 **OF THE CITY COUNCIL, AND THE CITY'S SENATE DELEGATION TO THE MARYLAND**
31 **GENERAL ASSEMBLY THAT A BOARD POSITION REQUIRES APPOINTMENT.**

1 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
2 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
3 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO EITHER THE MAYOR, IF**
4 **THE BOARD POSITION WAS ORIGINALLY APPOINTED BY THE MAYOR, OR THE**
5 **PRESIDENT OF THE CITY COUNCIL, IF THE BOARD POSITION WAS ORIGINALLY**
6 **APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL, CANDIDATES FOR**
7 **APPOINTMENT TO THE BOARD POSITION.**

8 **(3) The appointments shall be made:**

9 (i) if the Senate is in session, with the advice and consent of the
10 Senate; or

11 (ii) if the Senate is not in session, **SUBJECT TO PARAGRAPH (2) OF**
12 **THIS SUBSECTION**, by the Mayor or President of the City Council alone.

13 **(4) (I) IN THIS PARAGRAPH, “CENTRAL REPOSITORY” MEANS THE**
14 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
15 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

16 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
17 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
18 **HISTORY RECORDS CHECK.**

19 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
20 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

21 1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN
22 IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE
23 DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

24 2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE
25 CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY
26 RECORDS; AND

27 3. THE MANDATORY PROCESSING FEE REQUIRED BY THE
28 FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY
29 RECORDS CHECK.

30 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
31 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
32 **THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL, AS APPROPRIATE, AND THE**
33 **NOMINEE THE NOMINEE’S CRIMINAL HISTORY RECORD INFORMATION.**

1 (V) INFORMATION OBTAINED FROM THE CENTRAL
2 REPOSITORY UNDER THIS PARAGRAPH:

- 3 1. IS CONFIDENTIAL;
- 4 2. MAY NOT BE REDISSEMINATED; AND
- 5 3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS
6 ESTABLISHED UNDER THIS SUBSECTION.

7 (VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK
8 UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY
9 RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §
10 10-223 OF THE CRIMINAL PROCEDURE ARTICLE.

11 (e) (1) To fill a vacancy that occurs during the term of office, an eligible
12 individual shall be appointed by:

13 (i) the Mayor, if the vacancy occurs during the term of office of an
14 individual originally appointed by the Mayor; or

15 (ii) the President of the City Council, if the vacancy occurs during
16 the term of office of an individual originally appointed by the President of the City Council.

17 (2) An appointment under paragraph (1) of this subsection shall be made
18 within [15] 90 days after the vacancy occurs.

19 (3) A member who is appointed after a term has begun serves only for the
20 rest of the term and until a successor is appointed and qualifies.

21 14-102.

22 This title applies only in Calvert County.

23 14-202.

24 (a) (1) [The] IN ACCORDANCE WITH THIS SUBSECTION, THE Governor shall
25 appoint three regular members and one substitute member to the Board.

26 (2) (I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,
27 OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE
28 MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE
29 DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT
30 A BOARD POSITION REQUIRES APPOINTMENT.

1 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
2 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
3 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
4 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

5 **(3) The appointments shall be made:**

6 (i) if the Senate is in session, with the advice and consent of the
7 Senate; or

8 (ii) if the Senate is not in session, **SUBJECT TO PARAGRAPH (2) OF**
9 **THIS SUBSECTION**, by the Governor alone.

10 **(4) (I) IN THIS PARAGRAPH, “CENTRAL REPOSITORY” MEANS THE**
11 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
12 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

13 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
14 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
15 **HISTORY RECORDS CHECK.**

16 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
17 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

18 1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN
19 IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE
20 DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

21 2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE
22 CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY
23 RECORDS; AND

24 3. THE MANDATORY PROCESSING FEE REQUIRED BY THE
25 FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY
26 RECORDS CHECK.

27 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
28 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
29 **THE GOVERNOR AND THE NOMINEE THE NOMINEE’S CRIMINAL HISTORY RECORD**
30 **INFORMATION.**

31 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
32 **REPOSITORY UNDER THIS PARAGRAPH:**

1 1. **IS CONFIDENTIAL;**

2 2. **MAY NOT BE REDISSEMINATED; AND**

3 3. **MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
4 **ESTABLISHED UNDER THIS SUBSECTION.**

5 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
6 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
7 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
8 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

9 15-102.

10 This title applies only in Caroline County.

11 15-202.

12 (a) (1) **[The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
13 appoint three members to the Board.

14 (2) **(I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
15 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
16 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S HOUSE**
17 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
18 **A BOARD POSITION REQUIRES APPOINTMENT.**

19 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
20 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE HOUSE**
21 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
22 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

23 **(3) The appointments shall be made:**

24 (i) if the House of Delegates is in session, with the advice and
25 consent of the House of Delegates; or

26 (ii) if the House of Delegates is not in session, **SUBJECT TO**
27 **PARAGRAPH (2) OF THIS SUBSECTION,** by the Governor alone.

28 **[(3)] (4) An appointment made under paragraph [(2)(ii)] (3)(II) of this**
29 **subsection shall continue in force until the end of the next session of the General Assembly.**

1 **(5) (I) IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE**
2 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
3 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

4 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD OR AS A**
5 **SUBSTITUTE MEMBER OF THE BOARD UNDER § 15-203(A) OF THIS SUBTITLE SHALL**
6 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
7 **HISTORY RECORDS CHECK.**

8 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
9 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

10 **1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
11 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
12 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

13 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
14 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
15 **RECORDS; AND**

16 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
17 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
18 **RECORDS CHECK.**

19 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
20 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
21 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
22 **INFORMATION.**

23 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
24 **REPOSITORY UNDER THIS PARAGRAPH:**

25 **1. IS CONFIDENTIAL;**

26 **2. MAY NOT BE REDISSEMINATED; AND**

27 **3. MAY BE USED ONLY FOR THE APPOINTMENT**
28 **PROCESSES ESTABLISHED UNDER THIS SUBSECTION AND § 15-203 OF THIS**
29 **SUBTITLE.**

30 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
31 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**

1 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
2 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

3 15-203.

4 (a) (1) **[The] IN ACCORDANCE WITH § 15-202 OF THIS SUBTITLE, THE**
5 Governor shall appoint one substitute member to the Board.

6 (2) The appointment shall be made:

7 (i) if the House of Delegates is in session, with the advice and
8 consent of the House of Delegates; or

9 (ii) if the House of Delegates is not in session, **SUBJECT TO THIS**
10 **SUBTITLE**, by the Governor alone.

11 (3) An appointment made under paragraph (2)(ii) of this subsection shall
12 continue in force until the end of the next session of the General Assembly.

13 21-102.

14 This title applies only in Garrett County.

15 21-202.

16 (a) (1) **[The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
17 appoint three members to the Board.

18 (2) **(I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
19 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
20 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**
21 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
22 **A BOARD POSITION REQUIRES APPOINTMENT.**

23 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
24 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
25 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
26 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

27 **(3)** The appointments shall be made:

28 (i) if there is a resident Senator elected from the county, with the
29 advice and consent of the Senate; or

30 (ii) if there is no resident Senator elected from the county, with
31 confirmation by the House of Delegates.

1 **(4) (I) IN THIS PARAGRAPH, “CENTRAL REPOSITORY” MEANS THE**
2 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
3 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

4 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
5 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
6 **HISTORY RECORDS CHECK.**

7 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
8 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

9 **1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
10 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
11 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

12 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
13 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
14 **RECORDS; AND**

15 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
16 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
17 **RECORDS CHECK.**

18 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
19 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
20 **THE GOVERNOR AND THE NOMINEE THE NOMINEE’S CRIMINAL HISTORY RECORD**
21 **INFORMATION.**

22 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
23 **REPOSITORY UNDER THIS PARAGRAPH:**

24 **1. IS CONFIDENTIAL;**

25 **2. MAY NOT BE REDISSEMINATED; AND**

26 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
27 **ESTABLISHED UNDER THIS SUBSECTION.**

28 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
29 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
30 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
31 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

1 26-102.

2 This title applies only in Prince George's County.

3 26-202.

4 (a) (1) [The] **IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
5 appoint five members to the Board.

6 (2) (I) **AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
7 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
8 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**
9 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
10 **A BOARD POSITION REQUIRES APPOINTMENT.**

11 (II) **WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
12 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
13 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
14 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

15 (3) The appointments shall be made:

16 (i) if the Senate is in session, with the advice and consent of the
17 Senate; or

18 (ii) if the Senate is not in session, **SUBJECT TO PARAGRAPH (2) OF**
19 **THIS SUBSECTION, by the Governor alone.**

20 (4) (I) **IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE**
21 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
22 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

23 (II) **EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
24 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
25 **HISTORY RECORDS CHECK.**

26 (III) **AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
27 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

28 1. **A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
29 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
30 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

1 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
2 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
3 **RECORDS; AND**

4 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
5 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
6 **RECORDS CHECK.**

7 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
8 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
9 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
10 **INFORMATION.**

11 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
12 **REPOSITORY UNDER THIS PARAGRAPH:**

13 **1. IS CONFIDENTIAL;**

14 **2. MAY NOT BE REDISSEMINATED; AND**

15 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
16 **ESTABLISHED UNDER THIS SUBSECTION.**

17 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
18 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
19 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
20 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

21 (b) (1) [(i)] Four members of the Board shall be, at the time of appointment,
22 members of the political party that at the last preceding gubernatorial election polled the
23 highest number of votes in the county for Governor.

24 [(ii)] (2) One member of the Board shall be, at the time of appointment, a
25 member of the political party that at the last preceding gubernatorial election polled the
26 second highest number of votes in the county for Governor.

27 [(2) (i)] Before making an appointment or filling a vacancy, the Governor
28 shall request the central committees for the county representing each of the two leading
29 political parties of the State to designate at least four eligible candidates for each position
30 to be filled.

31 (ii) Except as provided in subparagraph (iii) of this paragraph, the
32 Governor shall appoint one of the designated individuals.

1 (iii) If the Governor decides that all of the individuals are unfit or
2 incompetent, the Governor:

3 1. may not appoint any of the individuals;

4 2. shall file a written statement with the Secretary of State,
5 setting forth the facts and the grounds for the decision and calling on the central
6 committees for a new list of six names for each position to be filled; and

7 3. shall make the appointments from the new list and the
8 original list.]

9 (3) A member shall be:

10 (i) a resident and voter of the county; and

11 (ii) a person of high character and integrity and of recognized
12 business capacity.

13 28–102.

14 This title applies only in St. Mary's County.

15 28–202.

16 (a) (1) **[The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
17 appoint five members to the Board, subject to the advice and consent of the Senate.

18 (2) **(I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
19 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
20 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**
21 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
22 **A BOARD POSITION REQUIRES APPOINTMENT.**

23 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
24 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
25 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
26 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

27 **(3)** Of the five members:

28 (i) one shall be appointed from each of the County Commissioner
29 districts; and

30 (ii) one shall be appointed at large.

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

4 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
5 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
6 **HISTORY RECORDS CHECK.**

7 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
8 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

9 **1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
10 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
11 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

12 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
13 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
14 **RECORDS; AND**

15 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
16 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
17 **RECORDS CHECK.**

18 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
19 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
20 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
21 **INFORMATION.**

22 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
23 **REPOSITORY UNDER THIS PARAGRAPH:**

24 **1. IS CONFIDENTIAL;**

25 **2. MAY NOT BE REDISSEMINATED; AND**

26 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
27 **ESTABLISHED UNDER THIS SUBSECTION.**

28 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
29 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
30 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
31 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

1 29-102.

2 This title applies only in Somerset County.

3 29-202.

4 (a) (1) [The] **IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
5 appoint three members to the Board, subject to the advice and consent of the Senate.

6 (2) (I) **AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
7 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
8 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**
9 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
10 **A BOARD POSITION REQUIRES APPOINTMENT.**

11 (II) **WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
12 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
13 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
14 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

15 (3) (I) **IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE**
16 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
17 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

18 (II) **EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
19 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
20 **HISTORY RECORDS CHECK.**

21 (III) **AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
22 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

23 1. **A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
24 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
25 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

26 2. **THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
27 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
28 **RECORDS; AND**

29 3. **THE MANDATORY PROCESSING FEE REQUIRED BY THE**
30 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
31 **RECORDS CHECK.**

1 **(IV) IN ACCORDANCE WITH §§ 10–201 THROUGH 10–229 OF THE**
 2 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
 3 **THE GOVERNOR AND THE NOMINEE THE NOMINEE’S CRIMINAL HISTORY RECORD**
 4 **INFORMATION.**

5 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
 6 **REPOSITORY UNDER THIS PARAGRAPH:**

7 **1. IS CONFIDENTIAL;**

8 **2. MAY NOT BE REDISSEMINATED; AND**

9 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
 10 **ESTABLISHED UNDER THIS SUBSECTION.**

11 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
 12 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
 13 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
 14 **10–223 OF THE CRIMINAL PROCEDURE ARTICLE.**

15 30–102.

16 This title applies only in Talbot County.

17 30–202.

18 (a) (1) **[The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
 19 appoint three members to the Board.

20 **(2) (I) AT LEAST 120 DAYS BEFORE A MEMBER’S TERM EXPIRES,**
 21 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
 22 **MEMBER’S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY’S SENATE**
 23 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
 24 **A BOARD POSITION REQUIRES APPOINTMENT.**

25 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
 26 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
 27 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
 28 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

29 **[(2)] (3)** The appointments shall be made:

30 (i) if the Senate is in session, with the advice and consent of the
 31 Senate; or

1 (ii) if the Senate is not in session, **SUBJECT TO PARAGRAPH (2) OF**
2 **THIS SUBSECTION**, by the Governor alone.

3 (4) (I) **IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE**
4 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
5 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

6 (II) **EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
7 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
8 **HISTORY RECORDS CHECK.**

9 (III) **AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
10 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

11 1. **A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
12 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
13 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

14 2. **THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
15 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
16 **RECORDS; AND**

17 3. **THE MANDATORY PROCESSING FEE REQUIRED BY THE**
18 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
19 **RECORDS CHECK.**

20 (IV) **IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
21 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
22 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
23 **INFORMATION.**

24 (V) **INFORMATION OBTAINED FROM THE CENTRAL**
25 **REPOSITORY UNDER THIS PARAGRAPH:**

26 1. **IS CONFIDENTIAL;**

27 2. **MAY NOT BE REDISSEMINATED; AND**

28 3. **MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
29 **ESTABLISHED UNDER THIS SUBSECTION.**

1 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
2 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
3 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
4 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

5 31-102.

6 This title applies only in Washington County.

7 31-202.

8 (a) (1) **[The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
9 appoint three members to the Board.

10 **(2) (I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
11 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
12 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**
13 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
14 **A BOARD POSITION REQUIRES APPOINTMENT.**

15 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
16 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
17 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
18 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

19 **[(2)] (3)** The appointments shall be made:

20 (i) if the Senate is in session, with the advice and consent of the
21 Senate; or

22 (ii) if the Senate is not in session, **SUBJECT TO PARAGRAPH (2) OF**
23 **THIS SUBSECTION,** by the Governor alone.

24 **(4) (I) IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE**
25 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
26 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

27 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
28 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
29 **HISTORY RECORDS CHECK.**

30 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
31 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

1 **1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
2 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
3 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

4 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
5 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
6 **RECORDS; AND**

7 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
8 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
9 **RECORDS CHECK.**

10 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
11 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
12 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
13 **INFORMATION.**

14 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
15 **REPOSITORY UNDER THIS PARAGRAPH:**

16 **1. IS CONFIDENTIAL;**

17 **2. MAY NOT BE REDISSEMINATED; AND**

18 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
19 **ESTABLISHED UNDER THIS SUBSECTION.**

20 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
21 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
22 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
23 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

24 32-102.

25 This title applies only in Wicomico County.

26 32-202.

27 **(a) (1) [The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
28 **appoint three members to the Board, subject to the advice and consent of the Senate.**

29 **(2) (I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
30 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
31 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**

1 DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT
2 A BOARD POSITION REQUIRES APPOINTMENT.

3 (II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN
4 ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE
5 DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR
6 MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.

7 (3) (I) IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE
8 CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE
9 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

10 (II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL
11 APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL
12 HISTORY RECORDS CHECK.

13 (III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY
14 RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:

15 1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN
16 IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE
17 DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

18 2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE
19 CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY
20 RECORDS; AND

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

24 (IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE
25 CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO
26 THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD
27 INFORMATION.

28 (V) INFORMATION OBTAINED FROM THE CENTRAL
29 REPOSITORY UNDER THIS PARAGRAPH:

30 1. IS CONFIDENTIAL;

31 2. MAY NOT BE REDISSEMINATED; AND

1 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
2 **ESTABLISHED UNDER THIS SUBSECTION.**

3 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
4 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
5 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
6 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

7 32-303.

8 (a) **(1) [The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
9 **appoint three members to the Liquor Control Board with the advice and consent of the**
10 **Senate.**

11 **(2) (I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
12 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A LIQUOR CONTROL BOARD**
13 **POSITION BEFORE THE MEMBER'S TERM EXPIRES, THE LIQUOR CONTROL BOARD**
14 **SHALL NOTIFY THE COUNTY'S SENATE DELEGATION TO THE MARYLAND GENERAL**
15 **ASSEMBLY AND THE GOVERNOR THAT A LIQUOR CONTROL BOARD POSITION**
16 **REQUIRES APPOINTMENT.**

17 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
18 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
19 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
20 **MORE CANDIDATES FOR APPOINTMENT TO THE LIQUOR CONTROL BOARD**
21 **POSITION.**

22 **(3) (I) IN THIS PARAGRAPH, "CENTRAL REPOSITORY" MEANS THE**
23 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
24 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

25 **(II) EACH INDIVIDUAL NOMINATED TO THE LIQUOR CONTROL**
26 **BOARD SHALL APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL**
27 **CRIMINAL HISTORY RECORDS CHECK.**

28 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
29 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

30 **1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
31 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
32 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

1 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
2 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
3 **RECORDS; AND**

4 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
5 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
6 **RECORDS CHECK.**

7 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
8 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
9 **THE GOVERNOR AND THE NOMINEE THE NOMINEE'S CRIMINAL HISTORY RECORD**
10 **INFORMATION.**

11 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
12 **REPOSITORY UNDER THIS PARAGRAPH:**

13 **1. IS CONFIDENTIAL;**

14 **2. MAY NOT BE REDISSEMINATED; AND**

15 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
16 **ESTABLISHED UNDER THIS SUBSECTION.**

17 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
18 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
19 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
20 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

21 33-102.

22 This title applies only in Worcester County.

23 33-202.

24 **(a) (1) [The] IN ACCORDANCE WITH THIS SUBSECTION, THE** Governor shall
25 **appoint three members to the Board, subject to the advice and consent of the Senate.**

26 **(2) (I) AT LEAST 120 DAYS BEFORE A MEMBER'S TERM EXPIRES,**
27 **OR WITHIN 30 DAYS AFTER A MEMBER VACATES A BOARD POSITION BEFORE THE**
28 **MEMBER'S TERM EXPIRES, THE BOARD SHALL NOTIFY THE COUNTY'S SENATE**
29 **DELEGATION TO THE MARYLAND GENERAL ASSEMBLY AND THE GOVERNOR THAT**
30 **A BOARD POSITION REQUIRES APPOINTMENT.**

1 **(II) WITHIN 30 DAYS AFTER THE NOTIFICATION PROVIDED IN**
2 **ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE SENATE**
3 **DELEGATION SHALL, IN A SIGNED LETTER, NOMINATE TO THE GOVERNOR ONE OR**
4 **MORE CANDIDATES FOR APPOINTMENT TO THE BOARD POSITION.**

5 **(3) (I) IN THIS PARAGRAPH, “CENTRAL REPOSITORY” MEANS THE**
6 **CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE**
7 **DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

8 **(II) EACH INDIVIDUAL NOMINATED TO THE BOARD SHALL**
9 **APPLY TO THE CENTRAL REPOSITORY FOR A STATE AND NATIONAL CRIMINAL**
10 **HISTORY RECORDS CHECK.**

11 **(III) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY**
12 **RECORDS CHECK, THE NOMINEE SHALL SUBMIT TO THE CENTRAL REPOSITORY:**

13 **1. A COMPLETE SET OF LEGIBLE FINGERPRINTS TAKEN**
14 **IN A FORMAT APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE**
15 **DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;**

16 **2. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE**
17 **CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY**
18 **RECORDS; AND**

19 **3. THE MANDATORY PROCESSING FEE REQUIRED BY THE**
20 **FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY**
21 **RECORDS CHECK.**

22 **(IV) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-229 OF THE**
23 **CRIMINAL PROCEDURE ARTICLE, THE CENTRAL REPOSITORY SHALL FORWARD TO**
24 **THE GOVERNOR AND THE NOMINEE THE NOMINEE’S CRIMINAL HISTORY RECORD**
25 **INFORMATION.**

26 **(V) INFORMATION OBTAINED FROM THE CENTRAL**
27 **REPOSITORY UNDER THIS PARAGRAPH:**

28 **1. IS CONFIDENTIAL;**

29 **2. MAY NOT BE REDISSEMINATED; AND**

30 **3. MAY BE USED ONLY FOR THE APPOINTMENT PROCESS**
31 **ESTABLISHED UNDER THIS SUBSECTION.**

1 **(VI) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK**
2 **UNDER THIS PARAGRAPH MAY CONTEST THE CONTENTS OF THE CRIMINAL HISTORY**
3 **RECORD INFORMATION ISSUED BY THE CENTRAL REPOSITORY AS PROVIDED IN §**
4 **10-223 OF THE CRIMINAL PROCEDURE ARTICLE.**

5 **Article – General Provisions**

6 5-101.

7 (II) “State official” means:

8 (1) a constitutional officer or officer-elect in an executive unit;

9 (2) a member or member-elect of the General Assembly;

10 (3) a judge or judge-elect of a court under Article IV, § 1 of the Maryland
11 Constitution;

12 (4) a judicial appointee as defined in Maryland Rule 16-814;

13 (5) a State’s Attorney;

14 (6) a clerk of the circuit court;

15 (7) a register of wills; [or]

16 (8) a sheriff; **OR**

17 **(9) EXCEPT IN COUNTIES IN WHICH A COUNTY COUNCIL OR BOARD OF**
18 **COUNTY COMMISSIONERS SITS AS A BOARD OF LICENSE COMMISSIONERS OR A**
19 **LIQUOR CONTROL BOARD, A MEMBER OF A BOARD OF LICENSE COMMISSIONERS OR**
20 **LIQUOR CONTROL BOARD.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2017.