

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 372
Finance

(Carroll County Senators)

Judiciary

Carroll County - Detention Center - Polygraph Testing

This bill exempts an applicant for employment as a correctional officer of the Carroll County Detention Center or in any other capacity that involves direct personal contact with an inmate in the detention center from the prohibition against an employer requiring or demanding, as a condition of employment, prospective employment, or continued employment, that an individual submit to or take a polygraph examination.

Fiscal Summary

State Effect: None.

Local Effect: Carroll County advises that the bill does not materially affect its finances.

Small Business Effect: None.

Analysis

Current Law: Generally, an employer in the State may not require or demand, as a condition of employment, prospective employment, or continued employment, that an individual submit to or take a lie detector or similar test. Specified exceptions from this prohibition include:

- State and local law enforcement officers;
- an individual who applies for employment as a correctional officer at a State or local correctional facility;

- an individual who applies for employment or is employed as a correctional officer at the Baltimore City Jail, the Baltimore County Detention Center, and local detention facilities in Baltimore, Cecil, Charles, Frederick, Harford, and St. Mary's counties;
- individuals who apply for employment or who are employed as correctional officers or other positions involved in direct personal contact with inmates in the Calvert or Washington county detention centers;
- an applicant for employment as a correctional officer with the Anne Arundel County Department of Detention Facilities or the Caroline County Department of Corrections;
- a communications officer in the Calvert County Control Center; and
- an applicant for employment with the Washington County Emergency Communications Center.

Chapter 139 of 2014 expanded the above cited exemptions against the use of polygraph tests as a condition of employment so that, in addition to a correctional officer applicant, the exemption is applied to an individual who is already employed as a correctional officer or other employee in a State correctional facility or in any other capacity that involves direct personal contact with an inmate in a State correctional facility.

Additional Information

Prior Introductions: None.

Cross File: HB 565 (Carroll County Delegation) - Judiciary.

Information Source(s): Carroll County; Department of Legislative Services

Fiscal Note History: First Reader - February 7, 2017
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