

SENATE BILL 371

E2

(2lr0504)

ENROLLED BILL

— *Judicial Proceedings/Environment and Transportation* —

Introduced by **Carroll County Senators**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Carroll County – Prospective Employees and Volunteers – Criminal History**
3 **Records Check**

4 FOR the purpose of repealing provisions relating to obtaining a criminal history records
5 check in Carroll County; authorizing the Department of Human Resources in Carroll
6 County to request in a certain manner from the Criminal Justice Information System
7 Central Repository of the Department of Public Safety and Correctional Services a
8 State and national criminal history records check for a *certain* prospective county
9 employee or volunteer; and generally relating to criminal history records checks.

10 BY repealing
11 Article – Criminal Procedure
12 Section 10–232
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2021 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
2 Article – Criminal Procedure
3 Section 10–232
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2021 Supplement)

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

8 **Article – Criminal Procedure**

9 [10–232.

10 (a) This section does not apply to a person who provides services or performs
11 duties voluntarily and without compensation for the government of Carroll County.

12 (b) The County Commissioners of Carroll County may request a State and
13 national criminal history records check from the Central Repository for:

14 (1) a current or prospective employee of Carroll County who is or will be
15 assigned to a position that involves:

16 (i) inspections;

17 (ii) approval or denial of a permit, license, or other grant of
18 authority;

19 (iii) work in the offices of the County Commissioners, sheriff, State's
20 Attorney, circuit court, or county attorney; or

21 (iv) collecting or handling money; or

22 (2) a current or prospective employee of a person that has a contract with
23 Carroll County if the contract involves work in a place that requires security of personnel
24 or files, including the county courthouse, the local correctional facility, the State's
25 Attorney's office, a county commissioner's office, and the county attorney's office.

26 (c) The Comptroller of Carroll County shall pay to the Department the fee that
27 the Department imposes for each request made under subsection (b) of this section.

28 (d) If the request for a criminal history records check under subsection (b) of this
29 section requires that information be obtained from the Federal Bureau of Investigation, the
30 person who is the subject of the request shall submit to the Department a complete and
31 legible set of the person's fingerprints on standard fingerprint cards.]

1 10-232.

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

5 (B) THE DEPARTMENT OF HUMAN RESOURCES OF CARROLL COUNTY MAY
6 REQUEST FROM THE CENTRAL REPOSITORY A STATE AND NATIONAL CRIMINAL
7 HISTORY RECORDS CHECK FOR A PROSPECTIVE EMPLOYEE OR VOLUNTEER OF
8 CARROLL COUNTY WHO WILL BE ASSIGNED TO A POSITION THAT INVOLVES:

9 (1) INSPECTIONS;

10 (2) APPROVAL OR DENIAL OF A PERMIT, A LICENSE, OR ANY OTHER
11 GRANT OF AUTHORITY;

12 (3) WORK IN THE OFFICES OF THE COUNTY COMMISSIONERS,
13 SHERIFF, STATE'S ATTORNEY, CIRCUIT COURT, OR COUNTY ATTORNEY;

14 (4) COLLECTING OR HANDLING MONEY; OR

15 (5) CARE OR SUPERVISION OF A MINOR.

16 (C) (1) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY
17 RECORDS CHECK, THE DEPARTMENT OF HUMAN RESOURCES OF CARROLL COUNTY
18 SHALL SUBMIT TO THE CENTRAL REPOSITORY:

19 (I) TWO COMPLETE SETS OF THE PROSPECTIVE EMPLOYEE'S
20 OR VOLUNTEER'S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE
21 DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL
22 BUREAU OF INVESTIGATION;

23 (II) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THIS
24 SUBTITLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

25 (III) THE MANDATORY PROCESSING FEE REQUIRED BY THE
26 FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY
27 RECORDS CHECK.

28 (2) IN ACCORDANCE WITH THIS SUBTITLE, THE CENTRAL
29 REPOSITORY SHALL FORWARD TO THE PROSPECTIVE EMPLOYEE OR VOLUNTEER
30 AND THE DEPARTMENT OF HUMAN RESOURCES OF CARROLL COUNTY THE
31 PROSPECTIVE EMPLOYEE'S OR VOLUNTEER'S CRIMINAL HISTORY RECORD
32 INFORMATION.

1 **(3) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY**
2 **UNDER THIS SECTION:**

3 **(I) IS CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND**

4 **(II) MAY BE USED ONLY FOR A PERSONNEL-RELATED PURPOSE**
5 **CONCERNING A PROSPECTIVE EMPLOYEE OR VOLUNTEER FOR THE COUNTY AS**
6 **AUTHORIZED BY THIS SECTION.**

7 **(4) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER**
8 **THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED**
9 **BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THIS SUBTITLE.**

10 **(D) THE GOVERNING BODY OF CARROLL COUNTY SHALL ADOPT**
11 **GUIDELINES TO CARRY OUT THIS SECTION.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.