

HOUSE BILL 635

F5

6lr2800
CF SB 359

By: Delegates Miller, Alston, ~~and Mireku-North~~ Mireku-North, Addison, Buckel, Coley, Ebersole, Feldmark, Griffith, Hartman, Hornberger, R. Long, Palakovich Carr, Pasteur, Patterson, Roberson, Wilkins, and Wims

Introduced and read first time: January 30, 2026

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2026

CHAPTER _____

1 AN ACT concerning

2 **Child Care Facilities – Criminal History Records Check – Requirement**

3 FOR the purpose of repealing the limitation on the number of Deputy State
4 Superintendents of Schools that the State Superintendent can appoint; requiring
5 individuals who will have direct contact with children in certain child care facilities
6 to submit to a criminal history records check; requiring the State Department of
7 Education to establish a centralized unit for the processing and management of
8 information about criminal history records checks on or before a certain date;
9 altering the applicability of probationary employment qualifications for first-time
10 child care teachers in certain child care centers; requiring the Department to review
11 a certain process and submit a certain report on or before a certain date; and
12 generally relating to a criminal history records check for individuals who will have
13 direct contact with children in child care facilities.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 2–104(a)
17 Annotated Code of Maryland
18 (2025 Replacement Volume and 2025 Supplement)

19 BY adding to
20 Article – Education
21 Section 9.5–118

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.



1 Annotated Code of Maryland
2 (2022 Replacement Volume and 2025 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article – Education
5 Section 9.5–404(a)
6 Annotated Code of Maryland
7 (2022 Replacement Volume and 2025 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 9.5–404(b)(13)
11 Annotated Code of Maryland
12 (2022 Replacement Volume and 2025 Supplement)

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

15 **Article – Education**

16 2–104.

17 (a) The following employees shall be appointed to positions in the Department:

18 (1) [No more than three] **ANY** Deputy State Superintendents of Schools;

19 (2) Any assistant State superintendents and directors authorized by the
20 State Board and provided in the State budget; and

21 (3) Any other employees to fill positions authorized by the State Board and
22 provided in the State budget.

23 **9.5–118.**

24 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
25 **INDICATED.**

26 **(2) (I) “APPLICANT” MEANS AN INDIVIDUAL WHO IS APPLYING FOR**
27 **A POSITION INVOLVING DIRECT CONTACT WITH CHILDREN IN A CHILD CARE**
28 **FACILITY.**

29 **(II) “APPLICANT” INCLUDES A VOLUNTEER OR OTHER**
30 **INDIVIDUALS WHO MAY BE SUBJECT TO FEDERALLY REQUIRED BACKGROUND**
31 **CHECKS.**

1 (3) “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE
2 INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC
3 SAFETY AND CORRECTIONAL SERVICES.

4 (4) “CHILD CARE FACILITY” MEANS A ~~CHILD CARE FACILITY~~
5 ~~IDENTIFIED UNDER § 5-551 OF THE FAMILY LAW ARTICLE~~ REGISTERED FAMILY
6 CHILD CARE HOME, A REGISTERED LARGE FAMILY CHILD CARE HOME, A LICENSED
7 CHILD CARE CENTER, OR A CHILD CARE CENTER THAT HOLDS A LETTER OF
8 COMPLIANCE.

9 (B) AN APPLICANT WHO IS SEEKING A POSITION INVOLVING DIRECT
10 CONTACT WITH CHILDREN AT A CHILD CARE FACILITY SHALL SUBMIT TO A CRIMINAL
11 HISTORY RECORDS CHECK IN ACCORDANCE WITH § 5-555 OF THE FAMILY LAW
12 ARTICLE.

13 (C) (1) (I) ~~THE~~ ON OR BEFORE JUNE 30, 2027, THE DEPARTMENT
14 SHALL ESTABLISH A CENTRALIZED UNIT FOR THE PROCESSING AND MANAGEMENT
15 OF INFORMATION ABOUT CRIMINAL HISTORY RECORDS CHECKS FOR APPLICANTS
16 PROVIDING CHILD CARE SERVICES.

17 (II) THE CENTRALIZED UNIT MAY BE STAFFED BY LICENSING
18 SPECIALISTS IN THE REGIONAL CHILD CARE LICENSING OFFICES THROUGHOUT THE
19 STATE.

20 (2) THE CENTRALIZED UNIT SHALL NOTIFY AN APPLICANT FOR A
21 CRIMINAL HISTORY RECORDS CHECK:

22 (I) OF THE STATUS OF THE APPLICATION WITHIN 10 DAYS
23 AFTER SUBMISSION; AND

24 (II) SUBJECT TO THE RECEIPT OF THE CRIMINAL HISTORY
25 RECORD INFORMATION FROM THE CENTRAL REPOSITORY UNDER SUBSECTION (D)
26 OF THIS SECTION, ~~WITHIN 45 DAYS AFTER SUBMISSION~~ THE TIME FRAME REQUIRED
27 UNDER FEDERAL LAW, OF THE APPLICANT’S ELIGIBILITY TO PROVIDE CHILD CARE
28 SERVICES IN A CHILD CARE FACILITY.

29 (D) (1) THE CENTRALIZED UNIT SHALL REVIEW AND MAINTAIN
30 BACKGROUND CHECKS COMPLETED IN ACCORDANCE WITH § 5-555 OF THE FAMILY
31 LAW ARTICLE.

32 (2) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY
33 UNDER THIS SECTION:

1 (I) IS CONFIDENTIAL;

2 (II) MAY NOT BE DISSEMINATED WITHOUT THE EXPRESS
3 PERMISSION OF THE APPLICANT; AND

4 (III) MAY BE USED ONLY FOR THE PURPOSES AUTHORIZED BY
5 THIS TITLE.

6 (E) (1) (I) THE CENTRALIZED UNIT MAY MAINTAIN A LIST OF
7 APPLICANTS WHO HAVE SUBMITTED A CRIMINAL HISTORY RECORDS CHECK IN
8 ACCORDANCE WITH THIS SECTION.

9 (II) THE CENTRALIZED UNIT MAY SHARE THE NAME AND
10 STATUS OF AN APPLICANT ON THE LIST WITH:

11 1. A CHILD CARE FACILITY AT WHICH THE APPLICANT
12 SEEKS TO BE EMPLOYED OR VOLUNTEER; AND

13 2. THE APPLICANT.

14 (2) ON REQUEST BY AN APPLICANT OR A CHILD CARE FACILITY, THE
15 CENTRALIZED UNIT MAY PROVIDE WRITTEN NOTICE TO THE APPLICANT OR THE
16 CHILD CARE FACILITY THAT AN APPLICANT WHO SEEKS TO BE EMPLOYED BY OR
17 VOLUNTEER WITH THE CHILD CARE FACILITY HAS A CRIMINAL HISTORY RECORDS
18 CHECK ON FILE WITH THE DEPARTMENT.

19 9.5-404.

20 (a) The State Board shall adopt rules and regulations for licensing and operating
21 child care centers.

22 (b) These rules and regulations shall:

23 (13) Subject to subsection (c) of this section, establish probationary
24 employment qualifications for an individual who is applying for the first time to be a child
25 care teacher in a child care center in the State that serves preschool or school-age children
26 who are at least [3] 2 years old.

27 SECTION 2. AND BE IT FURTHER ENACTED, That:

28 (a) The State Department of Education shall review the process for background
29 checks established under § 9.5-118 of the Education Article, as enacted by Section 1 of this
30 Act, to evaluate the efficiency and timeliness of processing applications and to identify
31 opportunities for improvement while maintaining safety and compliance with State and
32 federal law.

1 (b) The review required under subsection (a) of this section shall include an
2 examination of:

3 (1) regulations;

4 (2) policies;

5 (3) procedures; and

6 (4) interagency coordination of background checks.

7 (c) On or before October 1, 2028, the Department shall report, in accordance with
8 § 2-1257 of the State Government Article, to the General Assembly the results of the review
9 required under subsection (a) of this section, including:

10 (1) the number of background check applications;

11 (2) data on background check processing times;

12 (3) any delays or barriers to the process; and

13 (4) any recommendations for changing State law or administrative
14 procedures.

15 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.