

HOUSE BILL 1419

E4

6lr2534
CF 6lr3595

By: **Delegate Solomon (By Request – Joint Audit and Evaluation Committee)**

Introduced and read first time: February 13, 2026

Assigned to: Government, Labor, and Elections and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of State Police – Centralized Background Check Division**

3 FOR the purpose of establishing the Centralized Background Check Division in the
4 Department of State Police; requiring the Division to require each unit of State and
5 local government to take certain actions; requiring the Division to provide or
6 coordinate certain support services to units of State and local government; providing
7 for the process and confidentiality of a position–related background investigation;
8 requiring a certain unit of State or local government to include a certain condition of
9 funding for a regulated position funded by the unit; providing for the loss of a certain
10 contract or debarment under certain circumstances for a violation of this Act; and
11 generally relating to the Centralized Background Check Division.

12 BY adding to

13 Article – Public Safety

14 Section 2–901 through 2–906 to be under the new subtitle “Subtitle 9. Centralized
15 Background Check Division”

16 Annotated Code of Maryland

17 (2022 Replacement Volume and 2025 Supplement)

18 BY adding to

19 Article – State Finance and Procurement

20 Section 16–203(e)

21 Annotated Code of Maryland

22 (2021 Replacement Volume and 2025 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 9. CENTRALIZED BACKGROUND CHECK DIVISION.**

2 **2-901.**

3 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
4 **INDICATED.**

5 **(B) “DESIGNATED INDIVIDUAL” MEANS AN EMPLOYEE OF A UNIT OF STATE**
6 **OR LOCAL GOVERNMENT RESPONSIBLE FOR ALL POSITION-RELATED BACKGROUND**
7 **INVESTIGATION PROCESSES AND PROCEDURES.**

8 **(C) “DISQUALIFYING EVENT” MEANS AN EVENT, INCLUDING AN ARREST, AN**
9 **ADJUDICATION, A CONVICTION, OR A REQUIREMENT FOR REGISTRATION AS A SEX**
10 **OFFENDER, FOR WHICH AN INDIVIDUAL IS INELIGIBLE TO HOLD A REGULATED**
11 **POSITION.**

12 **(D) “DIVISION” MEANS THE CENTRALIZED BACKGROUND CHECK**
13 **DIVISION.**

14 **(E) (1) “EMPLOYEE OR SERVICE PROVIDER” MEANS AN INDIVIDUAL WHO**
15 **PROVIDES SERVICES TO AN EMPLOYER.**

16 **(2) “EMPLOYEE OR SERVICE PROVIDER” INCLUDES:**

17 **(I) A PAID OR UNPAID VOLUNTEER OR INTERN;**

18 **(II) A CONTRACTOR, SUBCONTRACTOR, OR VENDOR; AND**

19 **(III) ANY OTHER INDIVIDUAL WHO PROVIDES GOODS OR**
20 **SERVICES TO A UNIT OF STATE OR LOCAL GOVERNMENT AS DETERMINED BY THE**
21 **DIVISION.**

22 **(F) “REGULATED POSITION” MEANS A POSITION AS AN EMPLOYEE OR**
23 **SERVICE PROVIDER WITHIN OR FUNDED BY A UNIT OF STATE OR LOCAL**
24 **GOVERNMENT THAT:**

25 **(1) IS REQUIRED BY STATE OR LOCAL LAW, REGULATION, OR POLICY**
26 **TO HAVE A POSITION-RELATED BACKGROUND INVESTIGATION; AND**

27 **(2) PROHIBITED ACTIVITY WOULD DISQUALIFY AN INDIVIDUAL FROM**
28 **HOLDING.**

29 **2-902.**

1 **(A) THERE IS A CENTRALIZED BACKGROUND CHECK DIVISION IN THE**
2 **DEPARTMENT.**

3 **(B) THE DIVISION, IN COORDINATION WITH THE DEPARTMENT OF PUBLIC**
4 **SAFETY AND CORRECTIONAL SERVICES, IS RESPONSIBLE FOR OVERSIGHT OF**
5 **POSITION-RELATED BACKGROUND INVESTIGATIONS OF INDIVIDUALS WHO HOLD OR**
6 **HAVE BEEN SELECTED TO HOLD REGULATED POSITIONS.**

7 **(C) IN COORDINATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND**
8 **CORRECTIONAL SERVICES, THE DIVISION SHALL:**

9 **(1) ESTABLISH STANDARDS AND BEST PRACTICES FOR THE**
10 **CENTRALIZATION AND EFFICIENCY OF BACKGROUND INVESTIGATION PROCESSES**
11 **STATEWIDE;**

12 **(2) WORK WITH STATE AGENCIES AND LOCAL GOVERNMENTS TO**
13 **ENSURE THAT REQUIRED POSITION-RELATED BACKGROUND INVESTIGATIONS ARE**
14 **CONDUCTED FOR INDIVIDUALS WHO HOLD APPROPRIATE POSITIONS AND ROLES;**

15 **(3) ENSURE THAT ALL POSITION-RELATED BACKGROUND**
16 **INVESTIGATIONS ARE ACCOMPANIED BY ENROLLMENT IN THE FEDERAL BUREAU**
17 **OF INVESTIGATION NEXT GENERATION IDENTIFICATION RAP BACK PROGRAM; AND**

18 **(4) ADOPT ANY RULE, REGULATION, AND POLICY NECESSARY TO**
19 **IMPLEMENT THIS SUBTITLE.**

20 **(D) THERE IS AN EXECUTIVE DIRECTOR OF THE DIVISION, APPOINTED BY**
21 **THE SECRETARY.**

22 **(E) THE DIVISION SHALL REQUIRE EACH UNIT OF STATE AND LOCAL**
23 **GOVERNMENT TO:**

24 **(1) APPOINT A DESIGNATED INDIVIDUAL TO OVERSEE THE**
25 **POSITION-RELATED BACKGROUND INVESTIGATION PROCESS AND REPORT TO THE**
26 **DIVISION ON ALL BACKGROUND INVESTIGATION-RELATED ISSUES;**

27 **(2) NOTIFY THE DIVISION WHEN THE DESIGNATED INDIVIDUAL OR A**
28 **REGULATED POSITION HAS CHANGED; AND**

29 **(3) REQUIRE THE DESIGNATED INDIVIDUAL TO UNDERGO TRAINING**
30 **ON THE APPROPRIATE ROLE AND RESPONSIBILITIES OF A DESIGNATED INDIVIDUAL.**

1 **(F) THE DIVISION SHALL PROVIDE OR COORDINATE SUPPORT SERVICES TO**
2 **UNITS OF STATE AND LOCAL GOVERNMENT, INCLUDING:**

3 **(1) TECHNICAL SERVICES AND SUPPORT FOR THE IMPLEMENTATION**
4 **OF RAP BACK; AND**

5 **(2) PROVIDING ADVICE ON THE PROTECTION OF ALL INDIVIDUALS,**
6 **INCLUDING MINORS, BY STRENGTHENING HIRING POLICIES AND BACKGROUND**
7 **INVESTIGATION PROCEDURES.**

8 **2-903.**

9 **FOR EACH EMPLOYEE OR SERVICE PROVIDER SUBJECT TO A**
10 **POSITION-RELATED BACKGROUND INVESTIGATION FOR A REGULATED POSITION:**

11 **(1) THE DESIGNATED INDIVIDUAL FOR A UNIT OF STATE OR LOCAL**
12 **GOVERNMENT SHALL PROVIDE THE DIVISION ALL INFORMATION REQUIRED TO**
13 **CONDUCT THE POSITION-RELATED BACKGROUND INVESTIGATION; AND**

14 **(2) THE DIVISION SHALL CONDUCT A POSITION-RELATED**
15 **BACKGROUND INVESTIGATION PROMPTLY ON RECEIPT OF A REQUEST FROM A UNIT**
16 **OF STATE OR LOCAL GOVERNMENT.**

17 **2-904.**

18 **(A) IN PERFORMING A POSITION-RELATED BACKGROUND INVESTIGATION**
19 **UNDER THIS SUBTITLE, THE DIVISION MAY REQUEST THE ASSISTANCE, AS NEEDED,**
20 **OF THE CENTRAL REPOSITORY, THE POLICE COMMISSIONER OF BALTIMORE CITY,**
21 **THE CHIEF OF POLICE IN ANY COUNTY OR MUNICIPALITY MAINTAINING A POLICE**
22 **FORCE, OR THE SHERIFF IN A COUNTY NOT MAINTAINING A POLICE FORCE.**

23 **(B) THE DIVISION SHALL UPDATE INITIAL CRIMINAL HISTORY RECORDS**
24 **FOR A POSITION-RELATED BACKGROUND INVESTIGATION UNDER THIS SECTION IN**
25 **ACCORDANCE WITH FEDERAL REQUIREMENTS FOR THE FEDERAL BUREAU OF**
26 **INVESTIGATION NEXT GENERATION IDENTIFICATION RAP BACK PROGRAM,**
27 **APPLICABLE REGULATIONS, AND OTHER REQUIREMENTS UNDER THIS SECTION.**

28 **(C) THE DIVISION SHALL PROMPTLY TRANSMIT THE RESULTS OF THE**
29 **POSITION-RELATED BACKGROUND INVESTIGATION AND ANY SUBSEQUENT UPDATE**
30 **TO:**

31 **(1) THE UNIT OF STATE OR LOCAL GOVERNMENT THAT REQUESTED**
32 **THE POSITION-RELATED BACKGROUND INVESTIGATION; AND**

1 **(2) THE INDIVIDUAL WHO IS THE SUBJECT OF THE**
2 **POSITION-RELATED BACKGROUND INVESTIGATION.**

3 **(D) THE RESULTS OF, AND ANY RECORD OBTAINED THROUGH, A**
4 **POSITION-RELATED BACKGROUND INVESTIGATION UNDER THIS SECTION,**
5 **INCLUDING ANY SUBSEQUENT UPDATE:**

6 **(1) ARE CONFIDENTIAL AND SHALL BE TREATED AS A PERSONNEL**
7 **RECORD;**

8 **(2) MAY NOT BE DISSEMINATED, EXCEPT AS REQUIRED BY LAW; AND**

9 **(3) MAY BE USED ONLY FOR THE PURPOSES AUTHORIZED BY THIS**
10 **SUBTITLE.**

11 **(E) AN INDIVIDUAL WHO IS THE SUBJECT OF A POSITION-RELATED**
12 **BACKGROUND INVESTIGATION UNDER THIS SUBTITLE MAY CONTEST THE RESULTS**
13 **OF AN INVESTIGATION AS PROVIDED IN § 10-223 OF THE CRIMINAL PROCEDURE**
14 **ARTICLE.**

15 **2-905.**

16 **(A) A UNIT OF STATE OR LOCAL GOVERNMENT THAT PROVIDES FUNDING**
17 **FOR A REGULATED POSITION SHALL REQUIRE, AS A CONDITION OF FUNDING, THAT**
18 **THE PROGRAM OR ENTITY THAT RECEIVES THE FUNDING DISCLOSE TO THE UNIT**
19 **THE NAME AND DATE OF BIRTH OF EACH INDIVIDUAL EMPLOYED OR SUPERVISED BY**
20 **THE PROGRAM OR ENTITY IF THE INDIVIDUAL HOLDS OR IS SELECTED TO HOLD A**
21 **REGULATED POSITION.**

22 **(B) ON OR BEFORE OCTOBER 1, 2027, AND EACH OCTOBER 1 THEREAFTER,**
23 **EACH UNIT OF STATE AND LOCAL GOVERNMENT SHALL REPORT TO THE DIVISION**
24 **THE TOTAL NUMBER OF REGULATED POSITIONS, DISQUALIFYING EVENTS FOR EACH**
25 **POSITION, AND DATA ON THE EMPLOYEES OR SERVICE PROVIDERS DISQUALIFIED**
26 **FOR THE MOST RECENT STATE FISCAL YEAR.**

27 **(C) ON OR BEFORE DECEMBER 1, 2027, AND EACH DECEMBER 1**
28 **THEREAFTER, THE DIVISION SHALL REPORT TO THE GOVERNOR AND, IN**
29 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL**
30 **ASSEMBLY ON THE FOLLOWING INFORMATION SUBMITTED TO THE DIVISION UNDER**
31 **SUBSECTION (B) OF THIS SECTION FOR EACH UNIT OF STATE AND LOCAL**
32 **GOVERNMENT:**

1 **(1) THE TOTAL NUMBER OF POSITION-RELATED BACKGROUND**
2 **INVESTIGATIONS FOR EACH REGULATED POSITION;**

3 **(2) THE TOTAL NUMBER OF ALERTS RECEIVED THROUGH THE**
4 **FEDERAL BUREAU OF INVESTIGATION NEXT GENERATION IDENTIFICATION RAP**
5 **BACK PROGRAM, AND WHAT ACTION, IF ANY, WAS TAKEN; AND**

6 **(3) INFORMATION REGARDING COMPLIANCE WITH REPORTING**
7 **UNDER SUBSECTION (B) OF THIS SECTION.**

8 **2-906.**

9 **(A) INFORMATION ACCESSED OR OBTAINED UNDER THIS SECTION IS**
10 **SUBJECT TO THE CONFIDENTIALITY REQUIREMENTS OF § 2-1240 OF THE STATE**
11 **GOVERNMENT ARTICLE.**

12 **(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO REQUIRE ANY EMPLOYEE**
13 **OR SERVICE PROVIDER WITHIN OR FUNDED BY A UNIT OF STATE OR LOCAL**
14 **GOVERNMENT TO UNDERGO A POSITION-RELATED BACKGROUND INVESTIGATION IF**
15 **THE EMPLOYEE OR SERVICE PROVIDER IS EMPLOYED BY OR PROVIDING SERVICES**
16 **TO A UNIT OF STATE OR LOCAL GOVERNMENT BEFORE OCTOBER 1, 2026.**

17 **Article – State Finance and Procurement**

18 16-203.

19 **(E) A PERSON THAT FAILS TO COMPLY WITH A REQUIREMENT UNDER TITLE**
20 **2, SUBTITLE 9 OF THE PUBLIC SAFETY ARTICLE MAY BE SUBJECT TO CONTRACT**
21 **CANCELLATION OR DEBARMENT BY A UNIT OF STATE OR LOCAL GOVERNMENT OR**
22 **THE BOARD, IF APPLICABLE.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2026.