



Senate Bill 0815

Occupational Licensing and Certification – Criminal History – Prohibited Disclosures
In the Finance Committee
Hearing on March 6, 2025
Position: FAVORABLE

Maryland Legal Aid submits its testimony on Senate Bill 0815 at the request of Senator Ron Watson.

Maryland Legal Aid (MLA) asks that the Committee report favorably and pass SB 0815, which will improve employment opportunities for low-income Marylanders. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our twelve offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters.

In 2024, MLA advised or represented almost 2,000 people for expungement. When MLA advocates ask clients why they want to expunge their criminal records, employment opportunities are always one of the top reasons. Employment reduces recidivism, stabilizes families, and empowers communities. Many clients seek employment via occupational licensing. Occupational licensing is an important vehicle for low-income people to advance and find better paying jobs.

SB 0815 prohibits the Maryland Department of Labor (MDOL) from asking about expunged charges, or charges that did not result in a conviction. Maryland may have a particularly robust expungement statute, but it provides no real relief if state agencies can require license applicants to disclose cases that have been expunged. Expungement is about second chances. Indeed, the whole point of expungement is to remove collateral consequences around employment and housing. Similarly, it is unfair to require someone to disclose an arrest that resulted in a dismissal or finding of not guilty. If a judge, jury, or state's attorney decides against prosecution or conviction, it is absurd to penalize the person through reduced employment opportunities.

SB 0815 will remove burdensome and unnecessary licensing requirements. The bill creates a three year look back period for most offenses, prohibiting MDOL from considering older convictions, and prohibits licensing bans based on nonviolent misdemeanors. Licensing laws should serve a purpose; there may be public safety reasons to include criminal record limitations on certain types of licenses, but most professions do not involve public safety. Most employers require a background screening prior to hire. Rather than a blanket ban on system involved individuals obtaining a professional license, SB 0815 allows employers to make determinations about criminal history at the hiring stage, if appropriate and lawful.

MLA urges passage of Senate Bill 0815, to expand occupational licensing opportunities for all Marylanders. If you would like additional information on this bill or the underlying issues it addresses, please contact Meaghan McDermott, Advocacy Director for Community Lawyering and Development, at mmcdermott@mdlabor.org or 410-951-7635.