

SB0815_FAV_OFJ.PDF

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Position: FAV

TESTIMONY IN SUPPORT OF SENATE BILL 815:

TO: Hon. Pam Beidle, Chair, and members of the Senate Finance Committee

FROM: Christopher Dews, Policy Consultant

DATE: March 6th, 2025

The Out of Justice (OFJ) advocates for legislative initiatives to strengthen urban communities by helping fathers and families achieve stability and economic success. OFJ strongly supports Senate Bill 815 as a means of removing barriers to occupational licensing for returning citizens.

A criminal record can be both the cause and consequence of poverty and has detrimental effects on the employment prospects of [25% of working-age Marylanders with a record](#) (pg.26). Worse yet, in Maryland, a criminal record is acquired upon arrest, *whether or not a person is ever convicted of a crime*. Anything that occurs after an arrest is documented on an individual's criminal record and, in Maryland, will remain publicly visible via Maryland Case Search until the charges and dispositions are expunged. Individuals with a record are also often prevented from obtaining an occupational license and mastering a trade.

According to the Bureau of Labor Statistics, more than [one-quarter of workers in the United States require a professional license](#); however, occupational licensing and certification can present a significant barrier to employment for individuals with criminal convictions. According to the American Bar Association's [National Inventory of the Collateral Consequences of Conviction](#), there are 521 collateral consequences related to occupational licensing and professional certifications in Maryland. Maryland's statute states in [Criminal Procedure §1-209](#) that state licensing boards may not deny occupational licenses or certificates to applicants solely based on a prior conviction unless:

1. There is a direct relationship between the applicant's previous conviction and the specific occupational license or certificate sought; or
2. 2) the issuance of the license or certificate would involve an unreasonable risk to property or the safety or welfare of specific individuals or the general public.

Licensing laws and restrictions on individuals with a criminal record disproportionately affect people of color and low-income populations. In Maryland, black individuals constitute 31% of state residents but 71% of the prison population. Meanwhile, low-income occupations are much more likely to require a license. The cumulative impact of these policies poses a significant barrier to employment and affects not just directly impacted individuals and their successful reentry, but their families and communities.

Finally, the Division of Occupational and Professional Licensing has found no records of anyone denied a license based solely on a criminal record from 2014 through 2018; this data suggests that individuals are deterred from even applying. Of the 613,034 license applications received over these eight years, only 0.13%, or 803, had a criminal record. Given that over 35,000 individuals were released from prison in this period, that many more acquired criminal records during this time, and that most low-income professions require a license, it can be surmised that Maryland laws around restrictions for licensure bar returning citizens from even applying for a license.

Senate Bill 815 seeks to address this by prohibiting the Maryland Department of Labor (MDL) from requiring an applicant for an occupational license or certificate to disclose any specified information relating to the applicant's prior criminal history. It strengthens the protections listed in [Criminal Procedure §1-209](#) by removing the required disclosure of records if the charges were juvenile, nonviolent, unrelated to the occupation, didn't lead to a conviction, or three (3) years have passed since release. It still excludes violent crimes as defined in [Criminal Law §14-101](#), which effectively addresses any public safety concerns that will arise.

Senate Bill 815 also aligns with a 2016 Collateral Consequences Workgroup report that recommended that Maryland consider passing a comprehensive anti-discrimination law to address the barriers individuals with criminal records face in hiring and occupational licensing. OFJ fully supports this bill as a step in addressing the complex web of consequences of a criminal record that prevents lower-income communities from securing stable and meaningful employment. We respectfully urge a favorable report on Senate Bill 815.

SB 815 - Occupational Licensing and Certification

Uploaded by: Mark Woodard

Position: FAV

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

Testimony for Senate Bill 815

Occupational Licensing and Certification - Criminal History - Prohibited Disclosures

TO: Hon. Brian J. Feldman, Chair, and Hon. Pamela Beidle, Chair, and Members of the Senate Education, Energy, and the Environment and Finance Committees

FROM: Job Opportunities Task Force

DATE: March 6, 2024

POSITION: Support

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. **JOTF supports Senate Bill 815.**

The purpose of SB 815 is to provide a pathway for those who have an arrest or minor non-violent misdemeanor criminal background to become licensed for occupations under the Department of Labor.

In addition we support a sponsor amendment to further limit this bill to only six occupations under the Department of Labor: barbers, cosmetologists, electricians, plumbers, home improvement and heating, and air-conditioning.

Under the bill, the licensing board would be prohibited from asking about a person's prior arrest or minor non violent criminal background in the application process.

JOTF eliminated several other state departments in SB 815 that were in SB 54 from last year and also eliminated the predetermination process as well that generated significant opposition. This was done after reviewing the opposition to SB 54 from last year and narrowing its scope and its remedy, based on its failure last year in this committee.

As a consequence we think SB 815 addresses the concerns of the opposition from last year.

There are tens of thousands up to close to a million state residents who have some type of criminal history, many for arrests or minor offenses. This bill not only helps affected persons by helping them enter into occupations and becoming gainfully employed, but also helps the state by them joining the workforce and becoming part of the tax base.

For these reasons, JOTF supports Senate Bill 815 and urges a favorable report.

For more information, contact:

Mark Woodard /Public Policy Advocate / Mark@jotf.org

SB 0815- Maryland Legal Aid- FAV.pdf

Uploaded by: Meaghan McDermott

Position: FAV



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.

SB815_SponsorAmendment_653221

Uploaded by: Senator Watson

Position: FAV



SB0815/653221/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

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BY: Senator Watson

(To be offered in the Finance Committee and the Education,
Energy, and the Environment Committee)

AMENDMENTS TO SENATE BILL 815

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the second “to” insert “certain units in”.

AMENDMENT NO. 2

On page 2, strike beginning with “any” in line 4 down through “subsection” in line 5 and substitute “ONLY THE FOLLOWING UNITS IN THE MARYLAND DEPARTMENT OF LABOR:

(I) THE MARYLAND BOARD OF HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION CONTRACTORS;

(II) THE MARYLAND HOME IMPROVEMENT COMMISSION;

(III) THE STATE BOARD OF BARBERS;

(IV) THE STATE BOARD OF COSMETOLOGISTS;

(V) THE STATE BOARD OF ELECTRICIANS; AND

(VI) THE STATE BOARD OF PLUMBING”.

On page 3, strike beginning with “UNLESS” in line 1 down through the comma in line 2; in line 4, after “IMPRISONMENT” insert “, UNLESS THE CONVICTION WAS FOR:

**(I) A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THE
CRIMINAL LAW ARTICLE; OR**

**(II) FRAUD OR A RELATED CRIME UNDER TITLE 8 OF THE
CRIMINAL LAW ARTICLE**".

SWASC_SB815_Occupational_Licensing_FAV.pdf

Uploaded by: UM SWASC

Position: FAV

TESTIMONY IN SUPPORT OF SB 815
**Occupational Licensing and Certification – Criminal History – Prohibited
Disclosures**
Finance
March 6, 2025

Social Work Advocates for Social Change strongly supports SB 815, which seeks to make occupational licensing or certification more available to individuals with criminal histories. We support the prohibition of disclosure for applicants with a criminal history when attempting to acquire a license or certificate. We recognize the need for greater access for people with a criminal record when seeking licenses and certifications necessary to advance careers, economic and social stability.

Provisions in SB 815 could help mitigate the impacts of racial inequities in Maryland’s carceral system. The potential to combat racial inequity in Maryland’s criminal justice, correctional, and rehabilitation systems is significant. Historically marginalized Marylanders are disproportionately represented in the state's prison population. Specifically, while comprising 29% of Maryland's population, they make up 71% of the state's prison population, totaling over 11,360 individuals. Of the 3,095 inmates released in 2023, approximately 2,200 were from historically marginalized communities. This bill aims to remove barriers related to criminal histories for obtaining occupational licenses and certifications, promoting improved access to employment, higher earnings, and self-empowerment for historically marginalized Marylanders with criminal records.

Expanding access to occupational licenses and certifications by prohibiting disclosures of certain criminal histories could help reduce recidivism. One of the primary causes of recidivism is a lack of resources, specifically education, employment, and housing.¹ SB 815 directly or indirectly affects all three of these resources. Obtaining a license or certification requires education and has the potential to enhance a person’s employment and income. Enhanced employment and income increase a person’s ability to secure adequate housing. SB 815 helps to address one of the potential roadblocks in this process by limiting what types of criminal histories may be considered when acquiring an occupational certification.

Maryland’s small businesses would benefit from more people with occupational licenses and certifications. Maryland requires licensure or certification in 167 out of 331 occupations.² Increasing the pool of eligible, licensed, or certified employees could

¹ *What is recidivism? And why is addressing it key to reducing crime?* (2022). Stand Together. <https://standtogether.org/stories/strong-safe-communities/what-is-recidivism-and-why-is-addressing-it-key-to-reducing-repeat-crime>

² Timmons, E., Norris, C., & Trudeau, N. (2024). A Snapshot of Occupational Licensing in Maryland. In *West Virginia University*. <https://csorwvu.com/maryland-snapshot/>

positively impact small business employers within the state. One such field of employment is an HVAC technician. Currently, there is a shortage of HVAC technicians, and the field is expected to grow by 15% over the next decade.³ By creating additional paths to remove barriers to licensure or certification for individuals with criminal histories, small businesses may find it easier to fill positions requiring professional licensure or certification, enhancing their operations and contributing to Maryland's economy.

Increasing the avenues through which formerly incarcerated Marylanders can access occupational licenses and certifications could have substantial fiscal benefits to the state's revenues. From a budgetary perspective, the bill's potential economic benefits are considerable. Calculations based on the percentage of civilians requiring a license or certification for employment and the state's prison population, Maryland could see a potential \$2 million increase in annual tax revenue due to new employment and higher incomes for people with non-violent criminal history acquiring a license or certificate. Using the HVAC technician example, as of January 2025, the average salary for an HVAC technician in Maryland was \$66,481 per year or \$31.96 per hour.⁴ Compared to the average wage of a person with a misdemeanor criminal history makes 22% less per year.⁵

SB 815 could enhance economic opportunities for a significant portion of Maryland's population, increase Maryland's revenues, and address some of the racial disparities within the state's criminal justice system by reducing the length of time requiring criminal history disclosure from a conviction to 3 years and limiting the scope of criminal history that can be considered when seeking occupational licensing or certification.

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

³ *Maryland HVAC Training.* (2025). HVAC School.
<https://www.hvacschool.org/maryland/#:~:text=The%20demand%20for%20trained%20and,to%20the%20Baltimore%20Business%20Journal>.

⁴ *HVAC Technician: Average Salary in Maryland in 2025.* (2025). Talent.
[https://www.talent.com/salary?job=hvac+technician&location=maryland#:~:text=\\$63%2C771,\\$68%2C806](https://www.talent.com/salary?job=hvac+technician&location=maryland#:~:text=$63%2C771,$68%2C806)

⁵ *Resource Guide for Maryland Journalists.* (2018). The Clean Slate Initiative.
<https://www.cleanslateinitiative.org/maryland#:~:text=People%20convicted%20of%20a%20felony,an%20average%20of%2022%20percent>.

SB815_favorable_w_Amendments_JamelFreeman.pdf

Uploaded by: Jamel Freeman

Position: FWA

Chair Senator Pamela Beidle, Vice Chair Senator Antonio Hayes and Members of the Finance Committee:

Thank you for giving me the opportunity to testify in favorable support with amendments to Senator Bill 815. Also, thank you Senator Watson for sponsoring this bill - and your support of improvements to the occupational licensing and certification – criminal history – prohibited disclosures processes materialized in this senator bill.

As a former returning citizen. I am presently enrolled as an Advanced Standing Master of Social Work student at the University of Baltimore School of Social Work. I have experienced firsthand the challenges of navigating the occupational licensing processes with a non-violent criminal history. My personal journey has shown me the importance of providing individuals with a non-violent criminal history, a fair chance to obtain occupational licenses and certifications.

The current language of SB815 is a step in the right direction, but I urge the committee to consider amendments that would provide individuals with criminal histories greater opportunities for success. Specifically, I propose expanding the provisions that prohibit departments from denying occupational licenses or certifications solely based on an individual's non-violent criminal history.

I also recommend enhancing the predetermination review processes to provide individuals with clear guidance on the licensing requirements and potential barriers. This would help individuals navigate the licensing process more effectively and avoid unnecessary delays.

Furthermore, I propose amending the review process to consider the individual's entire life history, including education, employment, and community involvement, rather than solely focusing on their non-violent criminal history. This integrated approach would provide a more comprehensive understanding of an individual's qualifications and potential for success.

In conclusion, I urge the committee to pass SB815 with the proposed amendments. By providing individuals with non-violent criminal histories a fair chance to obtain occupational licenses and certifications, we can create a more inclusive and supportive licensing process that recognizes the unique strengths and challenges of individuals with non-violent criminal histories. I respectfully request the Finance Committee to support a favorable report with the amendments that I communicated, here in my peer-lived experience written testimony on Senator Bill 815.

Thank you for your time and allowing me to share my experiences, strengths, and hopes.

Jamel Freeman BSW, CPRS

jrfreeman@umaryland.edu

[My Single-Story ' Life in Long-term Recovery](#)
[My Recovery Book "Can I Do This"](#)

757-546-4878

SB 815- Occupational Licensing - Criminal History

Uploaded by: Christa McGee

Position: UNF



Senate Bill 815 –Occupational Licensing and Certification – Criminal History –
Prohibited Disclosures

Position: Oppose

Maryland REALTORS® have concerns with SB 815, which would prevent the Department of Labor from requiring applicants seeking a license to engage in real estate transactions to disclose certain convictions based on the amount of time that has elapsed.

There are certain criminal histories, including non-violent crimes such as those involving crimes of dishonesty, specifically those involving theft, forgery, fraud that are incompatible with the duties of a real estate professional. Real estate professionals have personal access to their clients, homes and an individual's financial information in the ordinary course of business; therefore, REALTORS® are concerned that by allowing those who have been convicted of these types of crimes to become licensed, would put the general public at risk of harm.

On the whole, SB 815 would diminish the ability for the Department of Labor to prevent those with past convictions that are incompatible with the duties of a licensee from becoming licensed. Therefore, we recommend an unfavorable report.

**For more information, contact lisa.may@mdrealtor.org or
christa.mcgee@mdrealtor.org**