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Appropriations Committee
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Written Testimony – HB 557 – Occupational Licensing and Certification – Criminal
History – Predetermination Review Process**

March 25, 2026

Good afternoon, Chair Smith, Vice Chair Waldstreicher, and members of the Senate Judicial Proceedings Committee.

For the record, I am Delegate Andrea Fletcher Harrison, and I am here today to introduce HB 557. I have brought forth this legislation to reduce barriers to re-entry for people who have been formerly incarcerated by strengthening and standardizing Maryland's predetermination review process for occupational licensing and certification. It is important to me that people have second chances to lower the likelihood of recidivism, encourage successful re-entry to society and our communities, and help support Maryland businesses that rely on a stable, qualified workforce.

HB 557 updates Criminal Procedure § 1-209 to formally establish a clear, binding predetermination review process within the Department of Agriculture, the Department of the Environment, the Maryland Department of Health, the Department of Human Services, and the Maryland Department of Labor. Under the bill, an individual may request that the relevant department review their criminal history in advance to determine whether it would disqualify them from obtaining the occupational license or certificate they seek. The department's decision on that request is binding unless there is a subsequent direct and material adverse change to the individual's criminal history, giving applicants certainty before they invest time and money into training and education.

This bill requires departments to use existing resources to conduct these reviews and, when a license or certificate would be denied, to provide an explanation that includes the basis for the denial under § 1-209, such as a direct relationship between the offense and the license or an unreasonable risk to public safety. HB 557 also preserves important public-safety sideboards by maintaining the exclusion for crimes of violence and by specifying that the section does not apply to individuals seeking licensure or renewal under Title 11, Subtitle 6 of the Financial Institutions Article. In addition, the bill clarifies that the new predetermination process does not apply to health occupations boards regulated under Titles 1 through 21 of the Health Occupations Article, thereby respecting existing professional regulatory frameworks.

HB 557 allows individuals to submit a revised request for predetermination either one year after the prior decision or when there is a material change to their criminal history, such as completion of supervision or additional evidence of rehabilitation. The bill also authorizes departments to charge a modest criminal history review fee of up to 100 dollars, with a required waiver for individuals whose income is at or below 300 percent of the federal poverty level, as determined by the District Court of Maryland. This structure ensures that agencies can manage workload while keeping the process accessible for low-income Marylanders who are often the most affected by collateral consequences.

Maryland law already recognizes that it is the policy of the State to encourage the employment of nonviolent ex-offenders and to remove unnecessary barriers to their ability to demonstrate fitness for occupational licenses or certifications. Current data show that previously incarcerated people face unemployment rates many times higher than the general population, and those barriers are especially acute during the first few years after release, when stable employment is critical to successful re-entry and public safety. With approximately 19 percent of Maryland jobs requiring a license or certificate, ensuring a fair and transparent path to licensure can unlock economic opportunity, strengthen families, and reduce recidivism.

The predetermination process created and clarified in HB 557 is about honest and individualized review of criminal records before returning citizens invest their valuable time and money into a desired profession. It asks departments to look at the nature of the offense, the time elapsed, the applicant's rehabilitation and good conduct, and the actual duties of the license, instead of treating any record as an automatic disqualification. This approach aligns with what employers and workers across the country are already saying: when safety can be protected, they are willing to hire and work alongside people who have been formerly incarcerated.

Everyone has a past, and it is our responsibility as lawmakers to ensure that the past does not permanently define anyone's future when they have demonstrated rehabilitation and a desire to contribute. HB 557 gives Marylanders with records a fair chance to understand whether licensure is possible before they invest in training, while preserving appropriate safeguards for public safety and existing regulatory structures. Together, we can continue to improve outcomes for returning citizens, Maryland businesses, and the communities that depend on both.

I am offering an amendment which states that this subsection does not apply to an individual applying for a license or the renewal of a license under the Health Occupations article.

Thank you for your time, and I respectfully urge a favorable report with amendment on HB 557.