

HOUSE BILL 492

E2, L2

5lr1950
CF SB 995

By: **Delegates Simpson, Fair, Kerr, Miller, Rose, and Tomlinson**

Introduced and read first time: January 20, 2025

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 2, 2025

CHAPTER _____

1 AN ACT concerning

2 **Frederick County – County Employees and Volunteers – Criminal History**
3 **Records Check**

4 FOR the purpose of authorizing the Director of Human Resources of Frederick County to
5 request in a certain manner a State and national criminal history records check for
6 a prospective or current county employee or county volunteer; requiring the Central
7 Repository to forward certain information to certain persons; specifying that
8 information obtained from the Central Repository under this Act is confidential, may
9 not be redisseminated, and may be used only for certain purposes; authorizing the
10 subject of a criminal history records check to contest the contents of a certain
11 statement in a certain manner; and generally relating to criminal history records
12 checks for current or prospective county employees and county volunteers of
13 Frederick County.

14 BY adding to
15 Article – Criminal Procedure
16 Section 10–232.2
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2024 Supplement)

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

21 **Article – Criminal Procedure**

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 **10-232.2.**

2 (A) IN THIS SECTION, "CENTRAL REPOSITORY" MEANS THE CRIMINAL
3 JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF
4 PUBLIC SAFETY AND CORRECTIONAL SERVICES.

5 (B) THE DIRECTOR OF HUMAN RESOURCES OF FREDERICK COUNTY MAY
6 REQUEST FROM THE CENTRAL REPOSITORY A STATE AND NATIONAL CRIMINAL
7 HISTORY RECORDS CHECK FOR A PROSPECTIVE OR CURRENT EMPLOYEE OR
8 VOLUNTEER OF FREDERICK COUNTY.

9 (C) (1) AS PART OF THE APPLICATION FOR A CRIMINAL HISTORY
10 RECORDS CHECK, THE DIRECTOR OF HUMAN RESOURCES OF FREDERICK COUNTY
11 SHALL SUBMIT TO THE CENTRAL REPOSITORY:

12 (I) TWO COMPLETE SETS OF THE PROSPECTIVE OR CURRENT
13 EMPLOYEE'S OR VOLUNTEER'S LEGIBLE FINGERPRINTS TAKEN ON FORMS
14 APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR
15 OF THE FEDERAL BUREAU OF INVESTIGATION;

16 (II) THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THIS
17 SUBTITLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

18 (III) THE MANDATORY PROCESSING FEE REQUIRED BY THE
19 FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY
20 RECORDS CHECK.

21 (2) IN ACCORDANCE WITH §§ 10-201 THROUGH 10-250 OF THIS
22 SUBTITLE, THE CENTRAL REPOSITORY SHALL FORWARD TO THE PROSPECTIVE OR
23 CURRENT EMPLOYEE OR VOLUNTEER AND THE DIRECTOR OF HUMAN RESOURCES
24 OF FREDERICK COUNTY THE PROSPECTIVE OR CURRENT EMPLOYEE'S OR
25 VOLUNTEER'S CRIMINAL HISTORY RECORD INFORMATION.

26 (3) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY
27 UNDER THIS SECTION:

28 (I) IS CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND

29 (II) MAY BE USED ONLY FOR A PERSONNEL-RELATED PURPOSE
30 CONCERNING THE PROSPECTIVE OR CURRENT EMPLOYEE OR VOLUNTEER OF THE
31 COUNTY AS AUTHORIZED BY THIS SECTION.

1 **(4) THE SUBJECT OF A CRIMINAL HISTORY RECORDS CHECK UNDER**
2 **THIS SECTION MAY CONTEST THE CONTENTS OF THE PRINTED STATEMENT ISSUED**
3 **BY THE CENTRAL REPOSITORY AS PROVIDED IN § 10-223 OF THIS SUBTITLE.**

4 **(D) THE GOVERNING BODY OF FREDERICK COUNTY SHALL ADOPT**
5 **GUIDELINES TO CARRY OUT THIS SECTION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.