

SENATE BILL 283

E4
SB 646/13 – JPR

4lr2059

By: **Senators Jennings, Brochin, Hershey, Jacobs, Klausmeier, and Shank**
Introduced and read first time: January 17, 2014
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 3, 2014

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Handgun Permit Background ~~Check~~ Investigation – Armored**
3 **Car Company Employees**

4 FOR the purpose of authorizing the Secretary of State Police to accept certain
5 background ~~checks~~ investigations from certain armored car companies in place
6 of a certain criminal history records check performed by the Department of
7 Public Safety and Correctional Services under certain circumstances; and
8 generally relating to handgun permit background ~~checks~~ investigations.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 5–305
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2013 Supplement)

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

16 **Article – Public Safety**

17 5–305.

18 (a) In this section, “Central Repository” means the Criminal Justice
19 Information System Central Repository of the Department of Public Safety and
20 Correctional Services.

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 (b) [The] EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION,
2 THE Secretary shall apply to the Central Repository for a State and national criminal
3 history records check for each applicant for a permit.

4 (c) As part of the application for a criminal history records check, the
5 Secretary shall submit to the Central Repository:

6 (1) two complete sets of the applicant's legible fingerprints taken on
7 forms approved by the Director of the Central Repository and the Director of the
8 Federal Bureau of Investigation;

9 (2) the fee authorized under § 10-221(b)(7) of the Criminal Procedure
10 Article for access to Maryland criminal history records; and

11 (3) the mandatory processing fee required by the Federal Bureau of
12 Investigation for a national criminal history records check.

13 (d) In accordance with §§ 10-201 through 10-234 of the Criminal Procedure
14 Article, the Central Repository shall forward to the applicant and the Secretary a
15 printed statement of the applicant's criminal history record information.

16 (e) Information obtained from the Central Repository under this section:

17 (1) is confidential and may not be disseminated; and

18 (2) shall be used only for the licensing purpose authorized by this
19 section.

20 (f) The subject of a criminal history records check under this section may
21 contest the contents of the printed statement issued by the Central Repository as
22 provided in § 10-223 of the Criminal Procedure Article.

23 (G) FOR AN EMPLOYEE OF AN ARMORED CAR COMPANY WHO IS AN
24 APPLICANT FOR A PERMIT, THE SECRETARY MAY ACCEPT A CRIMINAL
25 BACKGROUND CHECK INVESTIGATION PERFORMED ~~BY~~ ON BEHALF OF THE
26 ARMORED CAR COMPANY IN PLACE OF THE CRIMINAL HISTORY RECORDS
27 CHECK REQUIRED BY THIS SECTION IF:

28 (1) THE CRIMINAL BACKGROUND CHECK INVESTIGATION MEETS
29 THE MINIMUM REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF STATE
30 POLICE; AND

31 (2) THE SECRETARY PERFORMS A CURSORY CHECK TO VERIFY
32 THE FACTS LISTED IN THE CRIMINAL BACKGROUND CHECK INVESTIGATION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.