

Chapter 404

(House Bill 189)

AN ACT concerning

Public Safety – Handgun Permit Background Investigation – Armored Car Company Employees

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

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–305
Annotated Code of Maryland
(2011 Replacement Volume and 2014 Supplement)

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

Article – Public Safety

5–305.

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

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

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

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

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

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

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

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

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

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

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

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

~~(1)~~ (1) THE CRIMINAL BACKGROUND INVESTIGATION MEETS THE MINIMUM REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF STATE POLICE; AND

~~(2)~~ (2) THE SECRETARY PERFORMS A CURSORY CHECK TO VERIFY THE FACTS LISTED IN THE CRIMINAL BACKGROUND INVESTIGATION; ~~AND~~

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, May 12, 2015.