

HOUSE BILL 189

E4

(5lr1369)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **Delegates Cluster, Szeliga, Fisher, Folden, Ghrist, S. Howard, Jacobs, Krebs, W. Miller, and Ready**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

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

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

11 BY repealing and reenacting, with amendments,
12 Article – Public Safety
13 Section 5–305

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.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2011 Replacement Volume and 2014 Supplement)

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

5 **Article – Public Safety**

6 5–305.

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

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

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

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

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

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

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

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

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

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

27 (f) The subject of a criminal history records check under this section may contest
28 the contents of the printed statement issued by the Central Repository as provided in §
29 10–223 of the Criminal Procedure Article.

30 **(G) FOR AN EMPLOYEE OF AN ARMORED CAR COMPANY WHO IS AN**
31 **APPLICANT FOR A PERMIT, THE SECRETARY MAY ACCEPT A CRIMINAL BACKGROUND**

1 INVESTIGATION PERFORMED ON BEHALF OF THE ARMORED CAR COMPANY ~~IN PLACE~~
 2 ~~OF THE CRIMINAL HISTORY RECORDS CHECK REQUIRED BY THIS SECTION TO MEET~~
 3 ~~THE REQUIREMENTS OF THIS SECTION IF~~ IN PLACE OF THE CRIMINAL HISTORY
 4 RECORDS CHECK REQUIRED BY THIS SECTION IF:

5 ~~(1)~~ (1) THE CRIMINAL BACKGROUND INVESTIGATION MEETS THE
 6 MINIMUM REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF STATE POLICE;
 7 AND

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.