

SENATE BILL 261

E4
SB 283/14 – JPR

5lr1368
CF HB 189

By: ~~Senators Jennings, Brochin, and Klausmeier~~, Senators Jennings, Brochin, Klausmeier, and Mathias

Introduced and read first time: February 4, 2015

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2015

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 under certain circumstances; and generally relating to handgun permit
8 background 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 2014 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 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 Information
19 System Central Repository of the Department of Public Safety and 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, THE**
2 Secretary shall apply to the Central Repository for a State and national criminal history
3 records check for each applicant for a permit.

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

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

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

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

26 **(1) THE CRIMINAL BACKGROUND INVESTIGATION MEETS THE**
27 **MINIMUM REQUIREMENTS ESTABLISHED BY THE DEPARTMENT OF STATE POLICE;**
28 **AND**

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

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