

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 1279

(Chair, Judiciary Committee)(By Request - Departmental
- Public Safety and Correctional Services)

Judiciary

Judicial Proceedings

Criminal Procedure - Criminal Justice Information Advisory Board - Members

This departmental bill alters the membership of the Criminal Justice Information Advisory Board by designating for membership the director or chair of a criminology studies program at a university or college in the State instead of specifying for membership the Director of the Maryland Justice Analysis Center (MJAC) of the Department of Criminology and Criminal Justice at the University of Maryland.

Fiscal Summary

State Effect: None. The bill is corrective in nature.

Local Effect: None.

Small Business Effect: The Department of Public Safety and Correctional Services (DPSCS) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: The Criminal Justice Information System (CJIS) Central Repository within DPSCS is used to collect, manage, and disseminate Maryland Criminal History Record Information for criminal justice and noncriminal justice purposes (such as employment and licensing). CJIS is a biometric fingerprint-supported system for positive identification.

The advisory board is within DPSCS for administrative and budgetary purposes only. The advisory board consists of the following 25 members:

- one member of the Senate appointed by the President;
- one member of the House of Delegates appointed by the Speaker;
- three members from the Judicial Branch appointed by the Chief Judge of the Court of Appeals;
- the Executive Director of the Governor’s Office of Crime Control and Prevention (GOCCP);
- three members recommended by the Secretary of Public Safety and Correctional Services;
- two members who are executive officials from State, county, or municipal police units;
- the Director of MJAC;
- two elected county officials;
- the Attorney General;
- two elected officials from separate municipal corporations;
- one State’s Attorney;
- one member of the State Council on Child Abuse and Neglect recommended by the council chairperson;
- one representative of the Department of Health and Mental Hygiene recommended by the Secretary of Health and Mental Hygiene;
- one representative of the Department of Juvenile Services recommended by the Secretary of Juvenile Services;
- one representative from the Motor Vehicle Administration recommended by the Secretary of Transportation;
- the State Chief Information Officer;
- the Executive Director of the Governor’s Office of Homeland Security; and
- one member from the public.

Except for *ex officio* members and members appointed by the President of the Senate, the Speaker of the House of Delegates, or the Chief Judge of the Court of Appeals, the Governor must appoint the members of the advisory board and designate a chairman. The Executive Director of GOCCP, the Attorney General, and the Director of MJAC are required to serve as *ex officio* members.

The term of a member is three years. At the end of a term, a member continues to serve until a successor is appointed and qualifies. A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies. Except for the member from the public, each member may designate a person to represent the member at any meeting or other activity of the advisory board, who may vote on behalf of the member. A majority of the members of the advisory board then serving is a quorum.

A member of the advisory board serves without compensation but is entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget. Subject to the approval of the head of the appropriate unit, the advisory board may use the staff and facilities of DPSCS, the Administrative Office of the Courts, and GOCCP in the performance of its functions.

Background: In fiscal 2007, MJAC, after becoming the Maryland Statistical Analysis Center, transferred to GOCCP, which is already represented on the advisory board. DPSCS advises that this bill is intended to ensure that the advisory board has representation from the academic field.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services, University System of Maryland, Department of Legislative Services

Fiscal Note History: First Reader - March 23, 2015
md/lgc

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Criminal Procedure – Criminal Justice Information Advisory Board –
Members

BILL NUMBER: HB 1279

PREPARED BY: Kevin Loeb, Director of Legislative Affairs

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS