

HOUSE BILL 751

J2
HB 1354/19 – HRU

0lr1337

By: **Delegate Krebs**

Introduced and read first time: January 31, 2020

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2020

CHAPTER _____

1 AN ACT concerning

2 **State Board of Massage Therapy Examiners – License and Registration –**
3 **Criminal History Records Checks**

4 FOR the purpose of altering the number of sets of fingerprints an applicant for licensure or
5 registration by the State Board of Massage Therapy Examiners is required to submit
6 to the Criminal Justice Information System Central Repository to obtain a criminal
7 history records check; requiring the Central Repository to provide to the Board a
8 certain revised statement under certain circumstances; and generally relating to
9 criminal history records checks for applicants for licensure or registration by the
10 State Board of Massage Therapy Examiners.

11 BY repealing and reenacting, with amendments,
12 Article – Health Occupations
13 Section 6–303
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2019 Supplement)

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

18 **Article – Health Occupations**

19 6–303.

20 (a) In this section, “Central Repository” means the Criminal Justice Information

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 System Central Repository of the Department of Public Safety and Correctional Services.

2 (b) As part of an application to the Central Repository for a State and national
3 criminal history records check, an applicant shall submit to the Central Repository:

4 (1) ~~Two~~ **ONE** complete ~~sets~~ **SET** of legible fingerprints taken on forms
5 approved by the Director of the Central Repository and the Director of the Federal Bureau
6 of Investigation;

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

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

11 (c) In accordance with §§ 10–201 through 10–228 of the Criminal Procedure
12 Article, the Central Repository shall forward to the Board and to the applicant the criminal
13 history record information of the applicant.

14 **(D) IF CRIMINAL HISTORY RECORD INFORMATION IS REPORTED TO THE**
15 **CENTRAL REPOSITORY AFTER THE DATE OF THE INITIAL CRIMINAL HISTORY**
16 **RECORDS CHECK, THE CENTRAL REPOSITORY SHALL PROVIDE TO THE BOARD A**
17 **REVISED PRINTED STATEMENT OF THE INDIVIDUAL’S STATE CRIMINAL HISTORY**
18 **RECORD.**

19 ~~[(d)]~~ **(E)** If an applicant has made three or more unsuccessful attempts at
20 securing legible fingerprints, the Board may accept an alternate method of a criminal
21 history records check as permitted by the Director of the Central Repository and the
22 Director of the Federal Bureau of Investigation.

23 ~~[(e)]~~ **(F)** Information obtained from the Central Repository under this section:

24 (1) Is confidential and may not be disseminated; and

25 (2) May be used only for the licensing or registration purpose authorized
26 by this title.

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

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2020.