

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1280  
Judiciary

(Delegate Taylor)

---

**Department of State Police - Professional Occupations - Application Process**

---

This bill makes technical and procedural changes to the licensing and/or certification processes for private detectives, security guard agencies, and security guards, and to the commissioning process for special police officers to facilitate automated processing of applications and payments. Specifically, specified applications must be submitted in the manner and format designated by the Secretary of State Police, and specified fees must be paid using a method approved by the Secretary of State Police. The bill requires as part of the application for a special police commission that the applicant submit to the Secretary of State Police two sets of the applicant's legible fingerprints taken in a format approved by the director of the Criminal Justice Information System Central Repository (CJIS-CR) and the director of the Federal Bureau of Investigation (FBI). The bill also makes conforming changes.

---

**Fiscal Summary**

**State Effect:** The bill is largely procedural and technical in nature and has no material effect on governmental finances.

**Local Effect:** None.

**Small Business Effect:** Minimal.

---

## Analysis

### Current Law:

#### *Regulation of Private Detectives, Security Guard Agencies, and Security Guards*

The Secretary of State Police is responsible for the certification of private detectives and security guards and the licensure of security guard agencies in the State. Generally, applicants must submit to the Secretary of State Police an application on the form the Secretary provides, which includes initial application and renewal fees, in addition to submitting two sets of fingerprints taken on forms approved by the director of CJIS-CR and the director of the FBI for a criminal history records check. The terms of licenses and certifications are staggered, and renewals occur every three years.

#### *Special Police Officers*

A special police officer holds a commission granted by the Governor. The Secretary of State Police must investigate the character, reputation, and qualifications of each applicant for a special police officer commission. The employer of an applicant for a commission must submit an application in the manner and format designed by the Secretary of State Police, a complete set of the applicant's legible fingerprints, and specified fees to cover the cost of the criminal history records check. Application fees for special police commissions may not be charged to a unit of the State. An initial commission expires three years after the date of issuance and is renewable for a three-year term under specified conditions.

#### *Criminal Justice Information System Central Repository*

CJIS-CR within the Department of Public Safety and Correctional Services is a computerized repository of criminal history record information governed by the Code of Federal Regulations and Maryland's statute and regulations. The criminal history record information contained in CJIS-CR is used by the courts, law enforcement agencies, prosecutors, and correctional agencies for criminal justice purposes. Federal and State law prescribe the authorized uses of the data, establish rules for preventing unauthorized access, and allow individuals to challenge and correct the database. The use of criminal history record information is also allowed for certain noncriminal justice purposes, such as employment, licensing, public housing, and research. For a fee, a noncriminal justice entity may obtain a criminal history records check through CJIS-CR by submitting an application that includes the subject's fingerprints.

## **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - March 10, 2023  
km/mcr

---

Analysis by: Thomas S. Elder

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510