

SENATE BILL 152

D4
SB 186/06 – JPR

71r1296

By: **Senator Gladden**
Introduced and read first time: January 25, 2007
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Criminal History Records Check Costs – Exemption for**
3 **Volunteers**

4 FOR the purpose of waiving certain costs and fees for certain volunteers at certain
5 facilities and local departments of social services who are required to obtain a
6 criminal history records check; and generally relating to volunteers and
7 criminal history records checks.

8 BY repealing and reenacting, without amendments,
9 Article – Family Law
10 Section 5–561(d), (e), (f), (g), and (i)
11 Annotated Code of Maryland
12 (2006 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – Family Law
15 Section 5–561(h)
16 Annotated Code of Maryland
17 (2006 Replacement Volume)

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

20 **Article – Family Law**

21 5–561.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) An employer at a facility under subsection (b) of this section may require
2 a volunteer at the facility to obtain a criminal history records check under this Part VI
3 of this subtitle.

4 (e) A local department may require a volunteer of that department who
5 works with children to obtain a criminal history records check under this Part VI of
6 this subtitle.

7 (f) An employer at a facility not identified in subsection (b) of this section
8 who employs individuals to work with children may require employees, including
9 volunteers, to obtain a criminal history records check under this Part VI of this
10 subtitle.

11 (g) An employer, as defined in § 5-560(e)(2) of this subtitle, shall require an
12 employee, as defined in § 5-560(d)(2) of this subtitle, to obtain a criminal history
13 records check under this Part VI of this subtitle.

14 (h) **(1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
15 **SUBSECTION, A** person who is required to have a criminal history records check under
16 this Part VI of this subtitle shall pay for:

17 [(1)] **(I)** the mandatory processing fee required by the Federal
18 Bureau of Investigation for a national criminal history records check;

19 [(2)] **(II)** reasonable administrative costs to the Department, not to
20 exceed 10% of the processing fee; and

21 [(3)] **(III)** the fee authorized under § 10-221(b)(7) of the Criminal
22 Procedure Article for access to Maryland criminal history records.

23 **(2) A VOLUNTEER UNDER SUBSECTION (D), (E), OR (F) OF THIS**
24 **SECTION WHO VOLUNTEERS FOR A PROGRAM THAT IS REGISTERED WITH THE**
25 **MARYLAND MENTORING PARTNERSHIP IS NOT REQUIRED TO PAY FOR COSTS**
26 **OR FEES UNDER PARAGRAPH (1)(II) AND (III) OF THIS SUBSECTION.**

27 (i) (1) An employer or other party may pay for the costs borne by the
28 employee or other individual under subsection (h) of this section.

29 (2) The local department shall reimburse:

1 (i) an adult residing in a foster care home for the costs borne by
2 the individual under subsection (h) of this section; and

3 (ii) an individual described in subsection (c)(4)(ii) of this section
4 for the costs borne by the individual under subsection (h) of this section.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2007.