

# SENATE BILL 152

D4  
SB 186/06 – JPR

71r1296

---

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

---

Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 20, 2007

---

## CHAPTER \_\_\_\_\_

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)

---

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

3 **Article – Family Law**

4 5–561.

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

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

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

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

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

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

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

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

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

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

3 (2) The local department shall reimburse:

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

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

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

Approved:

\_\_\_\_\_  
Governor.

\_\_\_\_\_  
President of the Senate.

\_\_\_\_\_  
Speaker of the House of Delegates.