

# HOUSE BILL 1354

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By: **Delegate Krebs**

Introduced and read first time: February 18, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

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 2018 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  
21 System Central Repository of the Department of Public Safety and Correctional Services.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

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

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

27           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2019.