

(II) EXPRESSLY AUTHORIZED BY STATUTE, EXECUTIVE ORDER OF THE GOVERNOR, OR RULE OF COURT TO GRANT, DENY, SUSPEND, REVOKE, OR TERMINATE A LICENSE, EMPLOYMENT, OR OTHER RIGHT OR PRIVILEGE, AND THE STATUTE, ORDER, OR RULE SPECIFIES THE EXISTENCE OR NON-EXISTENCE OF A PRIOR CONVICTION OR OTHER CRIMINAL CONDUCT AS A CONDITION TO THE GRANT, DENIAL, SUSPENSION, REVOCATION, OR TERMINATION OF THE LICENSE, EMPLOYMENT, RIGHT, OR PRIVILEGE. REFERENCES TO "GOOD MORAL CHARACTER," "TRUSTWORTHINESS," OR OTHER NONSPECIFIC TRAITS ARE NOT SUFFICIENT TO AUTHORIZE DISSEMINATION.

(D) THE FOLLOWING NONCRIMINAL JUSTICE PERSONS AND AGENCIES MAY RECEIVE CRIMINAL HISTORY RECORD INFORMATION FOR THE PURPOSES AND UNDER THE CONDITIONS STATED:

(1) THE DEPARTMENT OF PERSONNEL OR OTHER APPOINTING AUTHORITY OF THE STATE OR A LOCAL GOVERNMENT MAY RECEIVE SUCH INFORMATION FOR THE PURPOSE OF EMPLOYMENT SUITABILITY OR ELIGIBILITY FOR SECURITY CLEARANCES;

(2) THE MARYLAND PUBLIC DEFENDER OR ANY DEFENSE COUNSEL OF RECORD MAY RECEIVE SUCH INFORMATION FOR THE PURPOSE OF THE DEFENSE OF A CLIENT IN A PENDING CRIMINAL PROCEEDING[[, IF AUTHORIZED BY THE MARYLAND RULES]];

(3) A BAIL BONDSMAN MAY RECEIVE SUCH INFORMATION RELATING TO A CLIENT, IF AUTHORIZED BY THE MARYLAND RULES;

(4) THE JUVENILE SERVICES ADMINISTRATION MAY RECEIVE SUCH INFORMATION FOR THE PURPOSES OF AN INVESTIGATION PURSUANT TO THE DISPOSITION OF A JUVENILE CASE;

(5) THE GOVERNOR'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE MAY RECEIVE SUCH INFORMATION FOR THE PURPOSES OF RESEARCH, EVALUATION, AND STATISTICAL ANALYSIS OF CRIMINAL ACTIVITY, EXCEPT THAT SUCH INFORMATION MAY NOT INCLUDE THE NAME OF ANY INDIVIDUAL INCLUDED IN THE STATISTICAL ANALYSIS;

[[(6) ANY PROSPECTIVE EMPLOYER WHO, UNDER THE LAW OF THIS STATE, WOULD BE LIABLE TO A THIRD PARTY FOR CRIMINAL ACTS COMMITTED BY ITS EMPLOYEES IF IT FAILED TO USE DUE CARE IN DETERMINING THE PROPENSITY OF THE EMPLOYEES FOR CRIMINAL BEHAVIOR PRIOR TO HIRING THEM, MAY RECEIVE SUCH INFORMATION PERTAINING TO A PROSPECTIVE EMPLOYEE;]]

(6) ANY EMPLOYER WHO DEMONSTRATES TO THE SECRETARY OR THE COURT OF APPEALS THAT THE ACTIVITIES OF THE PROSPECTIVE EMPLOYEE FOR WHOM THE CRIMINAL HISTORY RECORD INFORMATION IS REQUESTED WOULD BRING THE EMPLOYEE INTO SUCH CLOSE AND SENSITIVE CONTACT WITH THE MEMBERS OF