

Central Repository; providing that the Criminal Justice Information System Central Repository may either conduct a records check or forward fingerprints for a national check; and generally relating to criminal record checks of fire fighters, rescue squad members, and paramedics.

BY repealing and reenacting, with amendments,

Article 38A – Fires and Investigations

Section 7A

Annotated Code of Maryland

(1990 Replacement Volume and 1993 Supplement)

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

Article 38A – Fires and Investigations

7A.

(a) Subject to the provisions of Article 27, §§ 742 through 755 of the Code, fire departments and rescue squads of the State or any of its political subdivisions, volunteer fire companies and rescue squads, and any ambulance service licensed under § 13-103.1 of the Education Article may request [a] THE STATE FIRE MARSHAL OR OTHER AUTHORIZED AGENCY THAT HAS ACCESS TO THE CRIMINAL JUSTICE INFORMATION SYSTEM TO CONDUCT AN INITIAL criminal record check on an applicant for employment or appointment as a volunteer or paid fire fighter, rescue squad member, or paramedic ON A FORM PRESCRIBED BY THE STATE FIRE MARSHAL.

(b) Upon request by [an employing or appointing entity under subsection (a) of this section] THE STATE FIRE MARSHAL, OR BY AN APPROPRIATE AUTHORITY THAT THE STATE FIRE MARSHAL DESIGNATES BY RULE, an applicant for appointment or employment shall furnish a classifiable set of fingerprints ON A FORM APPROVED BY THE DIRECTOR OF THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY to the State Fire Marshal or ~~other appropriate~~ THE DESIGNATED authority ~~as the State Fire Marshal shall designate by rule,~~ for submission to the [Maryland State Public Criminal Records Central Repository] CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY for a criminal record check; ~~and~~ OR AND for forwarding to the Federal Bureau of Investigation for a national record check.

(c) If a county, Baltimore City, or a municipal corporation has legally designated a fire marshal to serve as deputy State fire marshal, an applicant in that jurisdiction shall, upon request, furnish the fingerprints to that deputy fire marshal for submission to the [Maryland State Police Criminal Records Central Repository] CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY for a criminal record check and for forwarding to the Federal Bureau of Investigation for a national record check.

(d) A fire department or rescue squad operated by the State or its political subdivisions and a volunteer fire company or rescue squad may obtain conviction and arrest records WHICH ARE THE PRODUCTS OF A CRIMINAL RECORD CHECK BASED ON A CLASSIFIABLE SET OF FINGERPRINTS