

(b) Except as otherwise provided by law, if the Secretary determines that the limitation is required for the performance of the duties of a class, the Secretary, by regulation, may set for that class a limitation as to:

- (1) age;
- (2) habits;
- (3) health;
- (4) moral character;
- (5) physical condition; or
- (6) other qualifications.

(c) (1) An applicant who has been convicted of a crime may nonetheless take an examination under this subtitle if:

- (i) the applicant otherwise is qualified to take the examination; and
- (ii) the applicant:
 1. has served the sentence imposed;
 2. has received a conditional commutation of sentence;
 3. has received a conditional or full pardon; or
 4. has been paroled or placed on probation.

(2) If an applicant who has been convicted of a crime is certified by the Secretary as eligible for appointment to a position, the appointing authority may consider the conviction in deciding whether to appoint the applicant to the position.]

[4-204.

(a) Subject to the requirements of subsection (b) of this section, the Secretary or the head of a principal department or other independent unit for a unique class may disqualify and refuse to examine an applicant if the applicant:

- (1) does not meet the requirements for taking the examination or for appointment to the position;
- (2) has a mental or physical disability that precludes performance of the duties of the position;
- (3) intentionally falsified information in the application; or
- (4) has been deceptive or fraudulent in any phase of the examination or appointment process.

(b) The Secretary may not disqualify an applicant under this section unless the Secretary or the designee of the Secretary: