

SHALL BE CONVENED WITHIN 20 WORKDAYS, UNLESS SUBSEQUENTLY WAIVED BY THE ~~APPLICANT POTENTIAL~~ ELIGIBLE EMPLOYEE.

(2) THE SECRETARY, OR A DESIGNEE OF THE SECRETARY, SHALL RENDER A DECISION REGARDING THE APPEAL WITHIN 5 WORKDAYS ~~OF~~ AFTER THE HEARING.

(C) (1) FOR THE PURPOSES OF THIS SUBTITLE, THE RECORD OF A CONVICTION FOR A CRIME OR A COPY OF THE RECORD CERTIFIED BY THE CLERK OF THE COURT OR BY A JUDGE OF THE COURT IN WHICH THE CONVICTION OCCURRED, SHALL BE CONCLUSIVE EVIDENCE OF THE CONVICTION.

(2) IN A CASE WHERE A PENDING CHARGE IS RECORDED, DOCUMENTATION PROVIDED BY A COURT TO THE SECRETARY, OR A DESIGNEE OF THE SECRETARY, THAT A PENDING CHARGE FOR A CRIME WHICH HAS NOT BEEN FINALLY ADJUDICATED SHALL BE CONCLUSIVE EVIDENCE OF THE PENDING CHARGE.

(D) FAILURE OF THE ~~APPLICANT POTENTIAL~~ ELIGIBLE EMPLOYEE TO APPEAR AT THE SCHEDULED HEARING SHALL BE CONSIDERED GROUNDS FOR DISMISSAL OF THE APPEAL.

~~19-1807. 19-1809.~~

(A) ~~AN APPLICANT A POTENTIAL~~ AN ELIGIBLE EMPLOYEE WHO FAILS TO DISCLOSE A CONVICTION OR THE EXISTENCE OF PENDING CHARGES FOR A CRIMINAL OFFENSE OR ATTEMPTED CRIMINAL OFFENSE AS REQUIRED UNDER § ~~19-1804~~ § 19-1805 OF THIS SUBTITLE SHALL BE GUILTY OF PERJURY AND ON CONVICTION IS SUBJECT TO THE PENALTY PROVIDED BY LAW.

(B) UNLESS OTHERWISE PROVIDED, ~~AN APPLICANT A POTENTIAL~~ AN ELIGIBLE EMPLOYEE WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

~~19-1808. 19-1810.~~

THE FOLLOWING PERSONS OR AGENCIES SHALL HAVE THE IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY DESCRIBED UNDER § 5-361 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE IN CONNECTION WITH A CRIMINAL ~~BACKGROUND INVESTIGATION~~ HISTORY RECORDS CHECK UNDER THIS SUBTITLE:

- (1) ~~AN EMPLOYER~~ AN ADULT DEPENDENT CARE PROGRAM; AND
- (2) A STATE AGENCY.

~~19-1809. 19-1811.~~

(A) AN EMPLOYER PROVIDING A REFERENCE FOR EMPLOYMENT UNDER THIS SUBTITLE AND ACTING IN GOOD FAITH MAY NOT BE HELD LIABLE FOR DISCLOSING ANY INFORMATION ABOUT THE JOB PERFORMANCE OR THE REASON FOR TERMINATION OF EMPLOYMENT OF AN EMPLOYEE OR FORMER EMPLOYEE OF THE EMPLOYER.