

Section 5-560 through 5-568 to be under the new part "Part VI. Criminal Background Investigations for Employees of Facilities that Care for or Supervise Children" Annotated Code of Maryland (1984 Volume and 1985 Supplement)

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

Article - Family Law

PART VI. CRIMINAL BACKGROUND INVESTIGATIONS FOR EMPLOYEES OF FACILITIES THAT CARE FOR OR SUPERVISE CHILDREN

5-560.

(A) IN THIS PART VI OF THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CONVICTION" MEANS A PLEA OR VERDICT OF GUILTY OR A PLEA OF NOLO CONTENDERE.

(C) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(D) "EMPLOYEE" MEANS A PERSON THAT FOR COMPENSATION IS EMPLOYED TO WORK IN A FACILITY IDENTIFIED IN § 5-561 OF THIS ARTICLE AND WHO:

(1) CARES FOR OR SUPERVISES CHILDREN IN THE FACILITY;

OR

(2) HAS ACCESS TO CHILDREN WHO ARE CARED FOR OR SUPERVISED IN THE FACILITY.

(E) (1) "EMPLOYER" MEANS AN OWNER, OPERATOR, PROPRIETOR, OR MANAGER, ~~OR SUBSTITUTE WORKER~~ OF A FACILITY IDENTIFIED IN § 5-561 WHO HAS FREQUENT CONTACT WITH CHILDREN WHO ARE CARED FOR OR SUPERVISED IN THE FACILITY .

(2) "EMPLOYER" DOES NOT INCLUDE A STATE OR LOCAL AGENCY RESPONSIBLE FOR THE TEMPORARY OR PERMANENT PLACEMENT OF CHILDREN IN A FACILITY IDENTIFIED IN § 5-561.

(F) "SECRETARY" MEANS THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

5-561.

(A) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, AN EMPLOYEE AND EMPLOYER IN A FACILITY IDENTIFIED IN SUBSECTION (B) OF THIS SECTION SHALL APPLY FOR A FEDERAL AND STATE CRIMINAL BACKGROUND INVESTIGATION AT ANY DESIGNATED LAW ENFORCEMENT OFFICE IN THIS STATE.