

COLLATERAL CONSEQUENCES OF A CRIMINAL CONVICTION



DEPARTMENT OF LEGISLATIVE SERVICES 2021

Collateral Consequences of a Criminal Conviction

**Department of Legislative Services
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DEPARTMENT OF LEGISLATIVE SERVICES
OFFICE OF POLICY ANALYSIS
MARYLAND GENERAL ASSEMBLY

Victoria L. Gruber
Executive Director

Ryan Bishop
Director

December 10, 2021

The Honorable Bill Ferguson, President of the Senate
The Honorable Adrienne A. Jones, Speaker of the House
Members of the Maryland General Assembly

Ladies and Gentlemen:

This report, *Collateral Consequences of a Criminal Conviction*, was prepared by the Department of Legislative Services, Office of Policy Analysis, in response to the continuing legislative interest in the issue of felony convictions. The report describes the distinction between felonies and misdemeanors and discusses the consequences of felony convictions under Maryland law and federal law.

This report was written by Jennifer L. Young and Shane C. Breighner under the editorial direction of Shirleen M. Pilgrim.

We trust that this information will be a useful resource for members of the General Assembly and its staff.

Sincerely,

Victoria L. Gruber
Executive Director

Ryan Bishop
Director

VLG:RB/SMP/msr

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Collateral Consequences of a Criminal Conviction

The Felony/Misdemeanor Distinction

The distinction between a felony and a misdemeanor has changed over time and differs among jurisdictions. Under English common law a felony was an offense for which the penalty involved forfeiture in addition to any other punishment. Today, under federal law and the law of many states, a felony is a crime for which the punishment is death or imprisonment for more than one year. In Maryland and several other states, a felony is a crime declared to be so by the common law or by statute, regardless of the punishment that may be imposed. See **Appendix 1** for a list of the statutory felonies in the State. Under Maryland law, certain misdemeanors may carry harsher penalties than certain felonies.

Collateral Consequences of Conviction

When considering the State or federal collateral consequences of a conviction, it is important to note whether the consequence is tied to the categorization of the offense as a felony as opposed to a misdemeanor, the sentence that is or could be imposed, the nature of the crime itself, or some combination of these factors. For example, certain punitive collateral consequences may attach to theft crimes or crimes of violence regardless of whether the offense is a felony or a misdemeanor. Consequences may attach to felonies of a certain category such as drug crimes. Often, the fact that an offense is a felony is not a deciding factor in whether a particular collateral consequence will apply.

Maryland Law

Many collateral consequences of a conviction under Maryland law are in the areas of voting rights, jury service, firearms, licensing and employment, and alcoholic beverage licenses.

Voting Rights

Under § 3-102 (b) of the Election Law Article, an individual is not qualified to be a registered voter if the individual “has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction.” Chapter 734 of 2021 requires that the Department of Public Safety and Correctional Services provide every individual who is released from a correctional facility with a voter registration application and documentation with the individual’s discharge papers that informs the individual that the individual’s voting rights have been restored.

The department is also required to post notice that any individual who is no longer incarcerated has the right to vote at all parole and probation offices and on the department's website. Chapter 159 of 2007 repealed a provision that permanently disqualified all individuals who had ever been convicted of a felony from voting.

Jury Service

For jury service, the categorization of an offense as a felony or misdemeanor is not relevant. The determining factor is the length of an imposed or possible sentence. Under § 8-103 of the Courts and Judicial Proceedings Article, an individual is not qualified for jury service if the individual:

- has been convicted, in a federal or State court of record, of a crime punishable by imprisonment exceeding 1 year and received a sentence of imprisonment for more than one year; or
- has a charge pending, in a federal or State court of record, for a crime punishable by imprisonment exceeding one year.

In most states, juror disqualification is limited to circumstances in which there has been a *felony* conviction, but there are exceptions. For example, Texas also disqualifies individuals who have a misdemeanor theft conviction; Oregon statute prohibits any individual who has had a conviction for a misdemeanor involving violence or dishonesty within five years from serving on certain types of juries. Pennsylvania and South Carolina are similar to Maryland and federal law, as ineligibility for juror service in those states is triggered by the length of the sentence and not whether the offense is a felony or misdemeanor. Only three states (Illinois, Iowa, and Maine) do not automatically disqualify jurors based on a past felony conviction. In Colorado, although a felony conviction disqualifies a *grand* juror, it does not render a *trial* juror ineligible for service. However, all states exclude individuals who are currently incarcerated from jury service.

States also differ in the duration of exclusions due to a criminal conviction. Approximately half of the states (and the District of Columbia) that exclude jurors because of criminal convictions do so for a limited amount of time. In general, the exclusions are for a specified time period after the conviction occurs or until the terms of the sentence, often including any parole and/or probation, have been completed. Indiana and North Dakota, however, only exclude jurors with felony convictions from jury service during any period of actual incarceration. In the remaining states, jurors with specified criminal convictions are generally permanently prohibited from serving on juries. Although in some of these states, including Maryland, an individual may regain the ability to serve as a juror in limited circumstances (such as if a pardon is granted), the rarity of these circumstances still effectively creates a permanent disqualification in most instances.

Maryland is also one of at least seven states (along with Connecticut, Florida, Kentucky, Louisiana, Massachusetts, and Texas) in which pending charges disqualify an individual from jury service. This is also the practice in the District of Columbia and, as noted above, in the federal courts.

Firearms

Section 5-133 of the Public Safety Article prohibits a person from possessing a regulated firearm if the person has been convicted of a “disqualifying crime”. A “disqualifying crime” means a felony, a crime of violence, or a misdemeanor in the State that carries a penalty of more than two years and includes probation before judgment for a crime of violence and for certain domestically related crimes as specified in § 6-233 of the Criminal Procedure Article. A “regulated firearm” is defined as a handgun or any of a long list of assault weapons or their copies (Public Safety § 5-101). Possession of ammunition, rifles, and shotguns are also prohibited by a person convicted of a disqualifying crime. See **Appendix 2** for a list of State firearms consequences for conviction.

Licensing and Employment

Criminal convictions carry a variety of collateral consequences related to employment and licensing. There are few provisions that prohibit employment outright solely on the basis of a felony conviction.

A large number of statutes authorize the refusal, suspension, or revocation of a professional license for individuals who have been convicted of felonies. In addition to felony convictions, these statutes usually authorize adverse licensing decisions for individuals whose convictions fall under particular categories of crimes such as a sex offense, a violent offense, or a drug offense, that is relevant to the field of employment. See **Appendix 3** for a complete listing of business and professional licensure felony conviction restrictions.

Additionally, statutorily required and optional background checks may also act as collateral sanctions of conviction. Evidence of a felony conviction discovered during a background check of a job applicant may lead to the denial of a position that would have been offered had the conviction been for a misdemeanor.

State appointing authorities in the Executive, Legislative, or Judicial branches are generally prohibited from inquiring into the criminal record or history of an applicant for employment until the applicant has been given an opportunity for an interview. However, exemptions exist for the Department of Public Safety and Correctional Services, any position for which an appointing authority is required by law to conduct a criminal history records check, any position in the sheriff’s office of any county (with respect to constitutional obligations), or any position within the State Personnel Management System exempted by the Secretary of Budget and Management.

An appointing authority may still notify an applicant that prior criminal convictions may prohibit employment for some positions.

Federal Law

Certain federal benefits may be revoked, refused, or limited upon conviction of a crime. However, it is usually the type of crime committed that is determinative, not its distinction as a felony. For instance, conviction under certain controlled dangerous substance laws may bar a person from receiving food stamps or temporary assistance for needy families (21 U.S.C. § 862) (While Maryland has exercised its right to partially opt out of this prohibition, it has retained the right to deny benefits for certain drug offenses. Md. Code, Human Services § 5-601(b)). Conviction of certain drug crimes may also disqualify a student from receiving grants, loans, or work assistance (20 U.S.C. § 1091). Another example is that a person who is subject to a lifetime registration requirement under a state sex offender registration program is ineligible for federally assisted housing (42 U.S.C. § 13663).

As with State law, ineligibility for federal jury service is triggered by the length of the maximum sentence possible for a conviction for the offense. Under 28 U.S.C. § 1865, a person is not qualified for jury service if the person “has a charge pending against him for the commission of, or has been convicted in a State or Federal court of record of, a crime punishable by imprisonment for more than one year.”

Under 18 U.S.C. § 922(g), it is unlawful to an person who “has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year ... or who has been convicted in any court of a misdemeanor crime of domestic violence ... to ship or transport in interstate commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.” Again, it is the length of a possible sentence that triggers the prohibition, not a distinction as a felony. Under the federal law, individuals who have been convicted in any court of a misdemeanor crime of domestic violence are also prohibited from possessing firearms.

With respect to federal employment, a felony conviction often does not disqualify a person, but it may be considered in connection with determining suitability for employment.

Military service is an area where conviction of a felony is determinative. Under 28 U.S.C. § 1865, a person “who has been convicted of a felony, may not be enlisted in any armed force.” Additionally, a felony conviction requires automatic discharge from employment in federal law enforcement (5 U.S.C. § 7371) and employment related to securities and federal financial institutions, for example the Federal Deposit Insurance Corporation, may be barred for a felony conviction (12 C.F.R. 336.4). See **Appendix 4** for a list of mandatory/automatic collateral consequences under federal law for any felony conviction.

For an in-depth examination of all federal consequences for a conviction as well as information on the collateral consequences of conviction in other states, [the National Inventory of Collateral Consequences of Conviction](#) maintains the Collateral Consequences Inventory, which is an extensive searchable database of information nationwide.

Appendix 1.
Maryland State Commission on Criminal Sentencing Policy
Felony Guidelines

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Out-of-state unlicensed sellers of alcohol	Alcoholic Beverages, § 6-327	2 years	
False or misleading statement or omission of material fact in sale of business opportunity	Business Regulation, § 14-127(b)	5 years	\$10,000
Offer or sale of franchise without registration	Business Regulation, § 14-228(b)	5 years	10,000
Untrue statements or omissions of material fact in connection with an offer to sell or sale of a franchise	Business Regulation, § 14-229(b)	5 years	10,000
False or misleading statement or omission in prospectus or amendment	Business Regulation, § 14-230(b)	5 years	10,000
Untrue statements or omissions of material fact in applications, notices, or reports in sale of franchise	Business Regulation, § 14-231(b)	5 years	10,000
Failure to notify Commissioner of material change in sale of franchise	Business Regulation, § 14-232(b)	5 years	10,000
Misappropriation or fraudulent conversion of perpetual care trust funds in excess of \$100	Business Regulation, § 5-610(c)	10 years	25,000
Misappropriation or fraudulent conversion of preneed trust funds in excess of \$100	Business Regulation, § 5-712(c)	10 years	25,000
False imprisonment, by inmate	Correctional Services, § 8-801(b)	30 years	
Unlawful interception of communications	Courts, § 10-402(a)	5 years	10,000
Manufacture, possession, or sale of intercepting device	Courts, § 10-403(a)	5 years	10,000
Breaking and entering, etc., to place, adjust, or remove equipment without a court order	Courts, § 10-412	10 years	
Giving notice of interception of wire, oral, or electronic communications in order to obstruct, impede or prevent such interception	Courts, § 10-414(b)	5 years	10,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Crimes against, or threatening to commit crimes against, persons, groups, or property because of race, color, religious beliefs, sexual orientation, gender, disability, national origin, or homelessness – involving separate felony	Criminal Law, § 10-304(2)(i); Criminal Law, § 10-306(b)(1) (penalty)	10 years	10,000
Crimes against, or threatening to commit crimes against, persons, groups, or property because of race, color, religious beliefs, sexual orientation, gender, disability, national origin, or homelessness – resulting in death	Criminal Law, § 10-304(2)(ii); Criminal Law, § 10-306(b)(2) (penalty)	20 years	20,000
Bigamy	Criminal Law, § 10-502(b)	9 years	
Aggravated animal cruelty	Criminal Law, § 10-606	3 years	5,000
Use dog in dogfight or for baiting; arrange dogfight; possess, own, etc. dog for dogfight or baiting; allow dogfight or baiting on premises	Criminal Law, § 10-607	3 years	5,000
Use or allowing use of bird for cockfight	Criminal Law, § 10-608(b)	3 years	5,000
Injuring a racehorse	Criminal Law, § 10-620	3 years	
Child pornography, first offense	Criminal Law, § 11-207(b)(1)	10 years	25,000
Child pornography, subsequent	Criminal Law, § 11-207(b)(2)	20 years	50,000
Possession of visual representations of persons younger than 16 years old engaged in certain sexual acts, subsequent	Criminal Law, § 11-208(b)(2)	10 years	10,000
Persuade, entice, secrete, or harbor individual under 16 for the purpose of committing a sexual crime (Offense Date on/after October 1, 2014)	Criminal Law, § 11-305	25 years	5,000
Accessory after the fact to a felony – person offense	Criminal Law, § 1-301(a)	Lesser of 5 years or max. term penalty for	

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Accessory after the fact to a felony – drug offense	Criminal Law, § 1-301(a)	the underlying offense Lesser of 5 years or max. term penalty for the underlying offense	
Accessory after the fact to a felony – property offense	Criminal Law, § 1-301(a)	Lesser of 5 years or max. term penalty for the underlying offense	
Accessory after the fact to first degree murder	Criminal Law, § 1-301(b)(1)	10 years	
Accessory after the fact to second degree murder	Criminal Law, § 1-301(b)(2)	10 years	
Murder, first degree, generally	Criminal Law, § 2-201	Life	
Murder, first degree during rape, etc.	Criminal Law, § 2-201	Life	
Murder, first degree, perpetration of arson	Criminal Law, § 2-201	Life	
Murder, first degree, burning barn, tobacco house, etc.	Criminal Law, § 2-201	Life	
Murder, second degree (Offense Date on/after October 1, 2017)	Criminal Law, § 2-204	40 years	
Murder, first degree, attempted	Criminal Law, § 2-205	Life	
Murder, second degree, attempted	Criminal Law, § 2-206	30 years	
Voluntary manslaughter	Criminal Law, § 2-207	10 years	500
Involuntary manslaughter	Criminal Law, § 2-207	10 years	500
Manslaughter, by vehicle or vessel, first offense	Criminal Law, § 2-209(d)(1)	10 years	5,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Manslaughter, by vehicle or vessel, subsequent	Criminal Law, § 2-209(d)(2)	15 years	10,000
Criminally negligent manslaughter by vehicle or vessel, subsequent	Criminal Law, § 2-210(f)(2)	5 years	10,000
Negligent homicide by motor vehicle or vessel while under the influence of alcohol, first offense	Criminal Law, § 2-503(c)(1)	5 years	5,000
Negligent homicide by motor vehicle or vessel while under the influence of alcohol, subsequent	Criminal Law, § 2-503(c)(2)	10 years	10,000
Negligent homicide by motor vehicle or vessel while impaired by alcohol, first offense (Offense Date on/after October 1, 2017)	Criminal Law, § 2-504(c)(1)	3 years	5,000
Negligent homicide by motor vehicle or vessel while impaired by alcohol, subsequent (Offense Date on/after October 1, 2017)	Criminal Law, § 2-504(c)(2)	5 years	10,000
Negligent homicide by motor vehicle or vessel while impaired by drugs, first offense (Offense Date on/after October 1, 2019)	Criminal Law, § 2-505(c)(1)	5 years	5,000
Negligent homicide by motor vehicle or vessel while impaired by drugs, subsequent (Offense Date on/after October 1, 2019)	Criminal Law, § 2-505(c)(2)	10 years	10,000
Negligent homicide by motor vehicle or vessel while impaired by CDS, first offense (Offense Date on/after October 1, 2017)	Criminal Law, § 2-506(c)(1)	5 years	5,000
Negligent homicide by motor vehicle or vessel while impaired by CDS, subsequent (Offense Date on/after October 1, 2017)	Criminal Law, § 2-506(c)(2)	10 years	10,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Assisted suicide (coercion, provide means, participation)	Criminal Law, § 3-102; Criminal Law, § 3-104	1 years	10,000
Sex trafficking, felony (Offense Date on/after October 1, 2019)	Criminal Law, § 3-1102(c)(2)	25 years	15,000
Forced marriage (Offense Date on/after October 1, 2019)	Criminal Law, § 3-1103	25 years	15,000
Take, place, etc., another by force, fraud, or coercion to provide services or labor; benefit from services or labor induced by force, fraud, or coercion; aid or conspire with another to commit these offenses	Criminal Law, § 3-1202	25 years	15,000
Assault, first degree	Criminal Law, § 3-202	25 years	
Assault on law enforcement officer, parole or probation agent, or first responder, second degree	Criminal Law, § 3-203(c)	10 years	5,000
Assault by inmate on employee or other inmate of State, local, or sheriff's office correctional facility, first degree	Criminal Law, § 3-210	25 years	
Attempted poisoning	Criminal Law, § 3-213	10 years	
Poisoning, contaminating water, food, etc.	Criminal Law, § 3-214	20 years	
Rape, first degree, adult offender with victim under 13	Criminal Law, § 3-303(c); Criminal Law, § 3-303(d)(4) (penalty)	Life w/o	
Rape, first degree	Criminal Law, § 3-303(d)(1)	Life	
Rape, first degree, in conjunction with kidnapping child under 16	Criminal Law, § 3-303(d)(2)	Life w/o	
Rape, first degree, subsequent	Criminal Law, § 3-303(d)(3)	Life w/o	
Rape, second degree	Criminal Law, § 3-304(c)(1)	20 years	
Rape, second degree, adult offender with victim under 13	Criminal Law, § 3-304(c)(2)	Life	

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Sex offense, first degree, adult offender with victim under 13 (Offense Date prior to October 1, 2017)	Criminal Law, § 3-305(c); Criminal Law, § 3-305(d)(4) (penalty)	Life w/o	
Sex offense, first degree (Offense Date prior to October 1, 2017)	Criminal Law, § 3-305(d)(1)	Life	
Sex offense, first degree, in conjunction with kidnapping child under 16 (Offense Date prior to October 1, 2017)	Criminal Law, § 3-305(d)(2)	Life w/o	
Sex offense, first degree, subsequent (Offense Date prior to October 1, 2017)	Criminal Law, § 3-305(d)(3)	Life w/o	
Sex offense, second degree (Offense Date prior to October 1, 2017)	Criminal Law, § 3-306(c)(1)	20 years	
Sex offense, second degree, adult offender with victim under 13 (Offense Date prior to October 1, 2017)	Criminal Law, § 3-306(c)(2)	Life	
Sex offense, third degree – (a)(1) employ or display a dangerous weapon, etc., (a)(2) with substantially cognitively impaired, mentally incapacitated, or physically helpless individual (Offense Date on/after February 1, 2007)	Criminal Law, § 3-307(a)(1); Criminal Law, § 3-307(a)(2)	10 years	
Sex offense, third degree – (a)(3), (a)(4), (a)(5) – age based elements (Offense Date on/after February 1, 2007)	Criminal Law, § 3-307(a)(3); Criminal Law, § 3-307(a)(4); Criminal Law, § 3-307(a)(5)	10 years	
Attempted Rape, first degree	Criminal Law, § 3-309(a)	Life	
Attempted Rape, second degree	Criminal Law, § 3-310(a)	20 years	
Attempted Sex offense, first degree (Offense Date prior to October 1, 2017)	Criminal Law, § 3-311(a)	Life	

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Attempted Sex offense, second degree (Offense Date prior to October 1, 2017)	Criminal Law, § 3-312(a)	20 years	
Continuing course of conduct which includes 3 or more acts involving first, second, or third degree sex offense or first or second degree rape over a period of 90 days or more, with a victim under 14	Criminal Law, § 3-315	30 years	
Sodomy	Criminal Law, § 3-321	10 years	
Incest	Criminal Law, § 3-323	10 years	
Sexual solicitation of a minor or law enforcement officer posing as a minor	Criminal Law, § 3-324	10 years	25,000
Use of personal identifying information of an individual to invite another to commit sexual crime	Criminal Law, § 3-325	20 years	25,000
Robbery	Criminal Law, § 3-402	15 years	
Robbery with a dangerous weapon	Criminal Law, § 3-403(a)(1)	20 years	
Robbery by display of written instrument claiming possession of dangerous weapon	Criminal Law, § 3-403(a)(2)	20 years	
Carjacking, unarmed	Criminal Law, § 3-405(b)	30 years	
Carjacking, armed	Criminal Law, § 3-405(c)	30 years	
Kidnapping, generally	Criminal Law, § 3-502(a)	30 years	
Child abduction, child younger than 12 years old	Criminal Law, § 3-503(a)(1)	20 years	
Kidnapping, younger than 16 years old	Criminal Law, § 3-503(a)(2)	30 years	
Child Abuse – Physical, first degree	Criminal Law, § 3-601(b)(2)(i)	25 years	
Child Abuse – Physical, first degree with death, victim at least 13 years old (Offense Date on/after October 1, 2017)	Criminal Law, § 3-601(b)(2)(ii)	40 years	

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Child Abuse – Physical, first degree with death, victim younger than 13 years old (Offense Date on/after October 1, 2017)	Criminal Law, § 3-601(b)(2)(iii)	Life	
Child Abuse – Physical, first degree with death, previous conviction for child abuse (Offense Date on/after October 1, 2017)	Criminal Law, § 3-601(c)(2)	Life	
Child Abuse – Physical, second degree	Criminal Law, § 3-601(d)	15 years	
Child Abuse – Sexual	Criminal Law, § 3-602(b)	25 years	
Sell, barter, trade, etc. a child for money, property, etc. (felony – Offense Date on/after October 1, 2019)	Criminal Law, § 3-603	5 years	10,000
Abuse, neglect of vulnerable adult, first degree	Criminal Law, § 3-604	10 years	10,000
Felony extortion by anyone, at least \$1,000 but less than \$10,000	Criminal Law, § 3-701(c)(1)	10 years	10,000
Felony extortion by anyone, at least \$10,000 but less than \$100,000	Criminal Law, § 3-701(c)(2)	15 years	15,000
Felony extortion by anyone, \$100,000 or greater	Criminal Law, § 3-701(c)(3)	25 years	25,000
Felony extortion by State or local officer, at least \$1,000 but less than \$10,000	Criminal Law, § 3-702(c)	10 years	10,000
Felony extortion by State or local officer, at least \$10,000 but less than \$100,000	Criminal Law, § 3-702(d)	15 years	15,000
Felony extortion by State or local officer, \$100,000 or greater	Criminal Law, § 3-702(e)	25 years	25,000
Extortion by state or local officer or employee against another employee	Criminal Law, § 3-703(a)	5 years	5,000
Extortion, threatening verbally	Criminal Law, § 3-705(a)	10 years	10,000
Extortion by sending, etc. a threatening letter, etc.	Criminal Law, § 3-706(b)	10 years	10,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Disarm Law Officer	Criminal Law, § 4-103(b)	10 years	10,000
Illegal possession of electronic control device (e.g., stun gun, taser) while committing a separate crime of violence	Criminal Law, § 4-109(e)(2)	3 years	5,000
Possession or use of a machine gun in commission of COV	Criminal Law, § 4-404	20 years	
Manufacture, transport, possess, control, store, sell, distribute, or use a destructive device (Offense Date on/after April 1, 2009)	Criminal Law, § 4-503(a)(1)	25 years	250,000
Possess explosive, incendiary, or toxic material with the intent to create a destructive device (Offense Date on/after April 1, 2009)	Criminal Law, § 4-503(a)(2)	25 years	250,000
CDS distribution, PWID, manufacture, etc. – Marijuana	Criminal Law, § 5-607(a)	5 years	15,000
CDS distribution, PWID, manufacture, etc. – Other nonnarcotics (e.g., amphetamines, methamphetamine, diazepam, Valium)	Criminal Law, § 5-607(a)	5 years	15,000
CDS distribution, PWID, manufacture, etc. – MDMA/ecstasy less than 750 grams	Criminal Law, § 5-607(a)	5 years	15,000
CDS distribution, PWID, manufacture, etc. – Buprenorphine	Criminal Law, § 5-607(a)	5 years	15,000
CDS distribution, PWID, manufacture, etc. – Synthetic marijuana	Criminal Law, § 5-607(a)	5 years	15,000
CDS distribution, PWID, manufacture, etc. – Nonnarcotics (drug not identified)	Criminal Law, § 5-607(a)	5 years	15,000
CDS distribution, PWID, manufacture, etc. – Cocaine	Criminal Law, § 5-608(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Heroin	Criminal Law, § 5-608(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Other narcotics (e.g., methadone)	Criminal Law, § 5-608(a)	20 years	15,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
CDS distribution, PWID, manufacture, etc. – Oxycodone	Criminal Law, § 5-608(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Narcotics (drug not identified)	Criminal Law, § 5-608(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Narcotics, subsequent w/ 20-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-608(b)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Narcotics, subsequent w/ 25-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-608(c)	25 years	25,000
CDS distribution, PWID, manufacture, etc. – Narcotics, subsequent w/ 40-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-608(d)	40 years	25,000
Knowingly violated Criminal Law, § 5-602 with a mixture of heroin and fentanyl or any analogue of fentanyl; or fentanyl or any analogue of fentanyl	Criminal Law, § 5-608.1	10 years	
CDS distribution, PWID, manufacture, etc. – LSD	Criminal Law, § 5-609(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Criminal Procedure	Criminal Law, § 5-609(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Hallucinogenics (drug not identified)	Criminal Law, § 5-609(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – MDMA/ecstasy 750 grams or more	Criminal Law, § 5-609(a)	20 years	15,000
CDS distribution, PWID, manufacture, etc. -Hallucinogenics, subsequent w/ 20-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-609(b)	20 years	15,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
CDS distribution, PWID, manufacture, etc. – MDMA/ecstasy 750 grams or more, subsequent w/ 20-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-609(b)	20 years	15,000
CDS distribution, PWID, manufacture, etc. – Hallucinogenics, subsequent w/ 25-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-609(c)	25 years	25,000
CDS distribution, PWID, manufacture, etc. – MDMA/ecstasy 750 grams or more, subsequent w/ 25-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-609(c)	25 years	25,000
CDS distribution, PWID, manufacture, etc. – Hallucinogenics, subsequent w/ 40-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-609(d)	40 years	25,000
CDS distribution, PWID, manufacture, etc. – MDMA/ecstasy 750 grams or more, subsequent w/ 40-year statutory maximum (Offense Date on/after October 1, 2017)	Criminal Law, § 5-609(d)	40 years	25,000
Manufacture, distribute, dispense, or possess certain Schedule I or II CDS, large amounts	Criminal Law, § 5-612	20 years	100,000
Manufacture, distribute, dispense, or possess certain Schedule I through V nonnarcotics, large amounts	Criminal Law, § 5-612	5 years	100,000
Drug kingpin	Criminal Law, § 5-613	40 years	1,000,000
CDS Importation into State, non-marijuana	Criminal Law, § 5-614(a)	25 years	50,000
CDS Importation into State, marijuana (45 kilograms or more)	Criminal Law, § 5-614(a)	25 years	50,000
CDS Importation into State, marijuana (5 – <45 kilograms)	Criminal Law, § 5-614(b)	10 years	10,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Distribute, attempt to distribute, or PWID noncontrolled substance (i.e., fake or look-alike) as CDS	Criminal Law, § 5-617	5 years	15,000
Possess, use, wear, carry, or transport a firearm in a drug offense, first offense	Criminal Law, § 5-621(c)	20 years	
Possess, use, wear, carry, or transport a firearm in a drug offense, subsequent	Criminal Law, § 5-621(c)	20 years	
Possess, use, wear, carry, or transport a firearm in a drug offense, first offense (select firearms)	Criminal Law, § 5-621(d)	20 years	
Possess, use, wear, carry, or transport a firearm in a drug offense, subsequent (select firearms)	Criminal Law, § 5-621(d)	20 years	
Possess, own, carry, or transport a firearm after conviction of a Title 5 (CDS) offense	Criminal Law, § 5-622(b)	5 years	10,000
Give, sell, transfer, trace, invest, conceal, etc.; receive, acquire, engage in, etc. knowing that the proceeds were derived from CDS offense	Criminal Law, § 5-623(b)	5 years	\$250,000 subsequent = \$500,000
Manufacture, distribute, dispense, or PWID CDS near school or on school vehicle, first offense	Criminal Law, § 5-627	20 years	20,000
Manufacture, distribute, dispense, or PWID CDS near school or on school vehicle, subsequent	Criminal Law, § 5-627	40 years	40,000
Using minors for manufacture, delivery, or distribution of CDS	Criminal Law, § 5-628(a)(1)	20 years	20,000
Bringing minor into State to violate drug laws	Criminal Law, § 5-628(a)(2)	20 years	20,000
Use fictitious, etc. registration number; distribute without an order form	Criminal Law, § 5-903(a)	10 years	100,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Deliver as a registrant a CDS of Schedule I/II without an order form	Criminal Law, § 5-904(a)	10 years	100,000
Arson, first degree (Dwelling or occupied structure)	Criminal Law, § 6-102(a)	30 years	50,000
Arson, second degree (Other structure)	Criminal Law, § 6-103(a)	20 years	30,000
Personal property of another, \$1,000 or more (malicious burning first degree)	Criminal Law, § 6-104(b)	5 years	5,000
Burglary, first degree	Criminal Law, § 6-202(c)	20 years	
Home invasion	Criminal Law, § 6-202(d)	25 years	
Burglary, second degree	Criminal Law, § 6-203(c)(1)	15 years	
Burglary, second degree, steal or take firearm	Criminal Law, § 6-203(c)(2)	20 years	10,000
Burglary, third degree	Criminal Law, § 6-204	10 years	
Burglary with explosives	Criminal Law, § 6-207	20 years	
Breaking and entering research facility	Criminal Law, § 6-208	5 years	5,000
Obstruct, break, damage, etc. railroad with intent to obstruct, overthrow and direct from the tracks a railroad vehicle	Criminal Law, § 6-502(b)	10 years	5,000
Felony theft or theft scheme, at least \$1,500 but less than \$25,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 7-104(g)(1)(i)	5 years	10,000
Felony theft or theft scheme, at least \$25,000 but less than \$100,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 7-104(g)(1)(ii)	10 years	15,000
Felony theft or theft scheme, \$100,000 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 7-104(g)(1)(iii)	20 years	25,000
Motor vehicle, unlawful taking	Criminal Law, § 7-105	5 years	5,000
Unlawfully access, attempt to access, cause access to, etc. a computer, computer network, etc., to cause malfunction,	Criminal Law, § 7-302(d)(2)(i)	10 years	10,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
interruption, alteration, damage, etc.; unlawfully possess, identify, distribute, etc., a valid access code, \$10,000 or greater			
Unauthorized computer access for sabotage of State government, public utilities, or other energy infrastructure, \$50,000 or greater	Criminal Law, § 7-302(d)(3)(i)	10 years	25,000
Telecom devices and telecom theft, over 100 devices	Criminal Law, § 7-315	10 years	10,000
Felony bad check, at least \$1,500 but less than \$25,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-103; Criminal Law, § 8-106(a)(1)	5 years	10,000
Felony bad check, at least \$25,000 but less than \$100,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-103; Criminal Law, § 8-106(a)(2)	10 years	15,000
Felony bad check, \$100,000 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 8-103; Criminal Law, § 8-106(a)(3)	20 years	25,000
Multiple bad checks within a 30-day period, each at least \$1,500 but less than \$25,000 and totaling at least \$1,500 but less than \$25,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-103; Criminal Law, § 8-106(b)	5 years	10,000
Falsely make or emboss credit card, transfer or possess falsely made or embossed credit card, or sign credit card with intent to defraud	Criminal Law, § 8-205	15 years	1,000
Felony credit card crimes, at least \$1,500 but less than \$25,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-206(c)(1)(i); Criminal Law, § 8-207(b)(1)(i); Criminal Law, § 8-209(b)(1)(i)	5 years	10,000
Felony credit card crimes, at least \$25,000 but less than \$100,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-206(c)(1)(ii); Criminal Law, § 8-207(b)(1)(ii); Criminal Law, § 8-209(b)(1)(ii)	10 years	15,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Felony credit card crimes, \$100,000 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 8-206(c)(1)(iii); Criminal Law, § 8-207(b)(1)(iii); Criminal Law, § 8-209(b)(1)(iii)	20 years	25,000
Possess incomplete credit card or knowingly possess machinery, plates, etc. to reproduce credit cards	Criminal Law, § 8-208	15 years	1,000
Unlawfully use or disclose credit card number or other payment device number or holder's signature	Criminal Law, § 8-214; Criminal Law, § 8-216 (penalty)	15 years	1,000
Possess, obtain personally identifying information or willfully assume the identity of another, benefit at least \$1,500 but less than \$25,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-301(b), (c); Criminal Law, § 8-301(g)(1)(i) (penalty)	5 years	10,000
Possess, obtain personally identifying information or willfully assume the identity of another, benefit at least \$25,000 but less than \$100,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-301(b), (c); Criminal Law, § 8-301(g)(1)(ii) (penalty)	10 years	15,000
Possess, obtain personally identifying information or willfully assume the identity of another, benefit \$100,000 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 8-301(b), (c); Criminal Law, § 8-301(g)(1)(iii) (penalty)	20 years	25,000
Use a re-encoder or skimming device for purpose of identity theft, benefit at least \$1,500 but less than \$25,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-301(d); Criminal Law, § 8-301(g)(1)(i) (penalty)	5 years	10,000
Use a re-encoder or skimming device for purpose of identity theft, benefit at least \$25,000 but less than \$100,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-301(d); Criminal Law, § 8-301(g)(1)(ii) (penalty)	10 years	15,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Use a re-encoder or skimming device for purpose of identity theft, benefit \$100,000 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 8-301(d); Criminal Law, § 8-301(g)(1)(iii) (penalty)	20 years	25,000
Intent to manufacture, distribute, or dispense personally identifying information (Offense Date on/after October 1, 2017)	Criminal Law, § 8-301(g)(3)	10 years	25,000
State health plan fraud, resulting in death	Criminal Law, § 8-509; Criminal Law, § 8-510; Criminal Law, § 8-511; Criminal Law, § 8-512; Criminal Law, § 8-513; Criminal Law, § 8-514; Criminal Law, § 8-515; Criminal Law, § 8-516(a) (penalty)	Life	200,000
State health plan fraud, resulting in serious injury	Criminal Law, § 8-509; Criminal Law, § 8-510; Criminal Law, § 8-511; Criminal Law, § 8-512; Criminal Law, § 8-513; Criminal Law, § 8-514; Criminal Law, § 8-515; Criminal Law, § 8-516(b) (penalty)	20 years	100,000
State health plan fraud, \$1,500 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 8-509; Criminal Law, § 8-510; Criminal Law, § 8-511;	5 years	100,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
	Criminal Law, § 8-512; Criminal Law, § 8-513; Criminal Law, § 8-514; Criminal Law, § 8-515; Criminal Law, § 8-516(c) (penalty)		
Forgery, counterfeiting, etc. (forgery, general)	Criminal Law, § 8-601(a)	10 years	1,000
Issuing or publishing counterfeit documents	Criminal Law, § 8-602	10 years	1,000
Counterfeiting United States currency	Criminal Law, § 8-604	10 years	10,000
Forgery, counterfeiting, pass forged, etc. of public documents (forgery, public documents)	Criminal Law, § 8-605(a)	10 years	
Counterfeit orders, etc., for money or goods	Criminal Law, § 8-609(b)	10 years	
Trademark counterfeiting, \$1,500 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 8-611(c)	10 years	10,000
Obtain property of vulnerable adult or an individual at least 68 years old by deception, intimidation, or undue influence, at least \$1,500 but less than \$25,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-801(c)(1)(i)	5 years	10,000
Obtain property of vulnerable adult or an individual at least 68 years old by deception, intimidation, or undue influence, at least \$25,000 but less than \$100,000 (Offense Date on/after October 1, 2017)	Criminal Law, § 8-801(c)(1)(ii)	10 years	15,000
Obtain property of vulnerable adult or an individual at least 68 years old by deception, intimidation, or undue influence, \$100,000 or greater (Offense Date on/after October 1, 2017)	Criminal Law, § 8-801(c)(1)(iii)	20 years	25,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Induce false testimony or avoidance of a subpoena related to felony violation of Title 5 offense or crime of violence	Criminal Law, § 9-302(c)(2)	20 years	
Retaliation for testimony, reporting a crime, performance of juror's or officer of the court's duties, related to felony violation of Title 5 offense or crime of violence	Criminal Law, § 9-303(c)(2)	20 years	
Intimidating or corrupting jurors in connection with a felony violation of Title 5 offense or crime of violence	Criminal Law, § 9-305(c)(2)	20 years	
Escape, first degree	Criminal Law, § 9-404	10 years	20,000
Contraband-deliver, possess with intent to deliver, conceal, receive contraband to affect an escape	Criminal Law, § 9-413	10 years	5,000
Contraband-deliver, possess with intent to deliver, conceal, receive weapon	Criminal Law, § 9-414	10 years	5,000
False statement, rumor as to bomb	Criminal Law, § 9-504(b)	10 years	10,000
Manufacture, possess, transport, or place a phony destructive device	Criminal Law, § 9-505	10 years	10,000
Intentional injury to or interference with property	Criminal Law, § 9-702	10 years	10,000
Intentional defective workmanship	Criminal Law, § 9-703	10 years	10,000
Participate as member of criminal gang in commission of crime; receive or invest crime proceeds, etc., (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(i)	15 years	1,000,000
Participate as member of criminal gang in commission of crime; receive or invest crime proceeds, etc., (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(i)	15 years	1,000,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Participate as member of criminal gang in commission of crime; receive or invest crime proceeds, etc., (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(i)	15 years	1,000,000
Participate as member of criminal gang in commission of crime; receive or invest crime proceeds, etc., (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(i)	15 years	1,000,000
Participate as member of criminal gang in commission of crime; receive or invest crime proceeds, etc., (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(i)	15 years	1,000,000
Participate as member of criminal gang in commission of crime; receive or invest crime proceeds, etc., (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(i)	15 years	1,000,000
Participate as member of criminal gang in commission of crime resulting in death of victim, (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(ii)	25 years	5,000,000
Participate as member of criminal gang in commission of crime resulting in death of victim, (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(ii)	25 years	5,000,000
Participate as member of criminal gang in commission of crime resulting in death of victim, (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(ii)	25 years	5,000,000
Participate as member of criminal gang in commission of crime resulting in death of victim, (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(ii)	25 years	5,000,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Participate as member of criminal gang in commission of crime resulting in death of victim, (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(ii)	25 years	5,000,000
Participate as member of criminal gang in commission of crime resulting in death of victim, (Offense Date on/after October 1, 2017)	Criminal Law, § 9-804(f)(1)(ii)	25 years	5,000,000
Organize, supervise, finance, or manage a criminal gang	Criminal Law, § 9-805	20 years	1,000,000
Failing to register as a sex offender and/or providing false information, subsequent	Criminal Procedure, § 11-721(b)(2)	5 years	10,000
Willfully and knowingly violating conditions of lifetime sexual offender supervision, subsequent	Criminal Procedure, § 11-724(b)(2)	10 years	10,000
Conducting or attempting to conduct human cloning	Economic Development, § 10-440	10 years	200,000
Voting by person convicted of a felony and currently serving a court-ordered sentence of imprisonment	Election Law, § 16-202	5 years	
Tampering with election records	Election Law, § 16-302	5 years	
Adding or deleting votes	Election Law, § 16-304	5 years	
False reports by election judge or election official	Election Law, § 16-601	10 years	
Defacing or removing election records related to voting	Election Law, § 16-701	10 years	
Destruction of voting equipment	Election Law, § 16-801	3 years	10,000
Tampering with voting equipment	Election Law, § 16-802	3 years	10,000
Removal or destruction of equipment or supplies	Election Law, § 16-803	3 years	10,000
Tampering with electronic voting system	Election Law, § 16-804	10 years	50,000
Storing, treating, dumping, etc. in other than hazardous substance facility; transporting for treatment, storage, etc. to any place other than hazardous substance facility; falsifying	Environment, § 7-265(a)	5 years	100,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
required information; authorizing, directing, etc. any offense listed in this section			
Public health and safety, endangering others	Environment, § 7-265(d)	15 years	250,000
Child abduction, child younger than 16 years old by relative outside State 30 days or less	Family Law, § 9-305(a); Family Law, § 9-307(b) (penalty)	1 years	1,000
Child abduction, younger than 16 years old by relative outside State more than 30 days	Family Law, § 9-305(a); Family Law, § 9-307(c) (penalty)	3 years	2,500
Child abduction, international parental child kidnapping	Family Law, § 9-305(b); Family Law, § 9-307(d) (penalty)	5 years	5,000
Misappropriation, fraudulent conversion, or any fraudulent act in the course of engaging in the mortgage lending business	Financial Institutions, § 11-523(c)	15 years	100,000
False statement or false entry in records with the intent to deceive a person authorized to examine the affairs of the bank, trust company, or savings bank	Financial Institutions, § 5-803(b)	10 years	5,000
Distribute, possess, manufacture, or use cannabis diverted from a qualifying patient, caregiver, licensed grower, or licensed dispensary	Health – General, § 13-3313	5 years	10,000
Operation of an assisted living program without a license, first offense	Health – General, § 19-1809(a)(2)(i)	5 years	10,000
Operation of an assisted living program without a license, subsequent	Health – General, § 19-1809(a)(2)(ii)	5 years	20,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Female genital mutilation, perform or consent to	Health – General, § 20-603; Health – General, § 20-601	5 years	5,000
Practicing naturopathic medicine without a license	Health Occupations, § 14-5F-29	5 years	10,000
Practicing medicine without a license or misrepresentation as practitioner of medicine	Health Occupations, § 14-601; Health Occupations, § 14-602; Health Occupations, § 14-606(a)(4) (penalty)	5 years	10,000
Sale or purchase of food stamp benefits; or sale or purchase of merchandise with food stamp benefits, \$1,000 or more	HU, § 5-504(c)	5 years	10,000
Violation of § 27-407 or any other provision of §§ 27-403, 27-404, 27-405, 27-406, 27-406.1, 27-407, 27-407.1, or 27-407.2 where the value of the fraud is \$300 or greater	Insurance, § 27-408(a)(1) (penalty)	15 years	10,000
Explosives possession without license – felony	Public Safety, § 11-114(b); Public Safety, § 11-116(a) (penalty)	20 years	10,000
Explosives sale without license – felony	Public Safety, § 11-114(c); Public Safety, § 11-116(b) (penalty)	20 years	10,000
Improper disclosure of DNA information to a person/agency not entitled to receive the information	Public Safety, § 2-512(a), (e)	5 years	5,000
Fraudulent obtainment of DNA information from the Statewide DNA data base/repository	Public Safety, § 2-512(b), (e)	5 years	5,000
Willfully testing DNA for information not related to identification of individuals	Public Safety, § 2-512(c), (e)	5 years	5,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Possession of regulated firearm after having been convicted of a crime of violence or select drug crimes (Offense Date on/after October 1, 2011; MM imposed)	Public Safety, § 5-133(c)	15 years	
Possession of regulated firearm after having been convicted of a crime of violence or select drug crimes (Offense Date on/after October 1, 2011; MM not imposed)	Public Safety, § 5-133(c)	15 years	
Possession of rifle or shotgun after having been convicted of a crime of violence or select drug crimes	Public Safety, § 5-206	15 years	
Fail to obtain and maintain a corporate surety bond or irrevocable letter of credit or to hold sums of money in an escrow account	Real Property, § 10-305(a)	15 years	10,000
Sales of property, Custom Home Protection Act-failure to obtain and maintain a corporate surety bond or to hold sums of money in escrow account; failure to make disclosure; commission of a breach of trust provided in Real Property, § 10-502	Real Property, § 10-507(b)(2)	15 years	10,000
Commission of mortgage fraud	Real Property, § 7-407(a)	10 years	5,000
Commission of mortgage fraud involving victim who is a vulnerable adult under Criminal Law, § 3-604	Real Property, § 7-407(b)	15 years	15,000
Commission of mortgage fraud, engaging in a pattern of mortgage fraud	Real Property, § 7-407(c)	20 years	100,000
Falsification, concealment, etc., of material facts in connection with a procurement contract	State Finance, § 11-205.1(c)	5 years	20,000
Violation of Architectural and Engineering Services subtitle	State Finance, § 13-322	10 years	20,000

<u>Offense</u>	<u>Statutory Citation</u>	<u>Max Term</u>	<u>Fine</u>
Minority Business Participation – fraudulently obtain or aid another in obtaining, etc. certification; obstruct, etc. investigation of a business that has requested certification; fraud in any minority business enterprise matter under this subtitle	State Finance, § 14-308(a)(2)	5 years	20,000
Use, with intent to defraud, of a facsimile signature, or any reproduction of it, of any authorized officer; or use with intent to defraud, of a facsimile seal, or any reproduction of it, of the State or of any of its political subdivisions	State Finance, § 2-305(b)	10 years	5,000
Willful transportation of unstamped cigarettes or other tobacco products on which tobacco tax has not been paid	Tax – General, § 13-1015	2 years	\$150/carton-first offense; \$300/carton-subsequent
Driver failing to remain at scene of accident with knowledge of serious bodily injury to another person	Transportation, § 20-102(c)(3)(i)	5 years	5,000
Driver failing to remain at scene of accident with knowledge of death of another person	Transportation, § 20-102(c)(3)(ii)	10 years	10,000
Fraudulently obtaining motor vehicle accident report	Transportation, § 20-110(e)(1)	15 years	10,000
Improper disclosure of motor vehicle accident report by law enforcement agent	Transportation, § 20-110(e)(2)	15 years	10,000
Firearm, explosive on aircraft	Transportation, § 5-1008	10 years	

CDS: controlled dangerous substance
COV: crime of violence
LSD: lysergic acid diethylamide

MDMA: methylenedioxyamphetamine (otherwise known as ecstasy)
MM: mandatory minimum
PWID: possession with intent to distribute

Source: Maryland State Commission on Criminal Sentencing Policy

Appendix 2.
Firearm Felony Conviction Restrictions in
Maryland General Assembly

<u>Article</u>	<u>Section</u>	<u>Restriction</u>
Public Safety	5-107	An application for a firearms dealer's license must contain a statement by the applicant that the applicant has, among other things, never been convicted of a (i) disqualifying crime or (ii) a common law crime and received a term of imprisonment of more than two years.
Public Safety	5-133	A person may not possess a regulated firearm if the person has been convicted of (1) a disqualifying crime or (2) a violation classified as a common law crime and received a term of imprisonment of more than two years.
Public Safety	5-133.1	A person may not possess ammunition if they are also prohibited from possessing a regulated firearm under § 5-133 of the Public Safety Article.
Public Safety	5-134	A dealer or other person may not sell, rent, loan, or transfer a regulated firearm to a purchaser, lessee, borrower, or transferee who the dealer or other person knows or has reasonable cause to believe has been convicted of (1) a disqualifying crime; (2) a conspiracy to commit a felony; or (3) a violation classified as a common law crime and received a term of imprisonment of more than two years.
Public Safety	5-205	A person may not possess a shotgun or a rifle if the person has been convicted of (1) a disqualifying crime or (2) a violation classified as a common law crime and received a term of imprisonment of more than two years.
Public Safety	5-206	A person may not possess a shotgun or a rifle if the person has been convicted of (1) a crime of violence; (2) a violation of Criminal Law § 5-602, § 5-603, § 5-604, § 5-605, § 5-612, § 5-613, or § 5-614; or (3) an offense under the federal law or the law of other states that would constitute a crime stated in (1) or (2). (enhanced penalty from § 5-205 of the Public Safety Article)
Public Safety	5-306	A handgun permit may not be issued to a person who has been convicted of a felony.

Regulation

COMAR 29.03.01.03

Restriction

A person may not possess a regulated firearm if the person has been convicted of (1) a crime of violence; (2) any violation classified as a felony in Maryland;

Regulation

Restriction

and (3) any violation classified as a common law offense where the person received a term of imprisonment of more than two years.

Possession of a regulated firearm is also prohibited by a person younger than 30 years old and has been adjudicated delinquent by a juvenile court for committing that act would be (1) a crime of violence if committed by an adult; (2) a violation classified as a felony in Maryland if committed by an adult; or (3) a violation classified as a misdemeanor in Maryland that carries a statutory penalty of more than two years if committed by an adult.

COMAR 29.03.01.06

A person may not possess ammunition if they are also prohibited from possessing a regulated firearm under COMAR 29.03.01.03 or § 5-133 of the Public Safety Article.

COMAR 29.03.01.11

A person may not sell, rent, or transfer a regulated firearm to a purchaser, lessee, or transferee who the person knows or has a reasonable cause to believe is prohibited from possessing a regulated firearm under COMAR 29.03.01.03.

COMAR 29.03.01.15

Out-of-state purchases of firearms must comply with COMAR and Title 5, Subtitle 1 of the Public Safety Article.

COMAR 29.03.01.27

A person may not be issued a handgun qualification license if they are also prohibited from possessing a regulated firearm under COMAR 29.03.01.03 or other federal or State law.

COMAR 29.03.01.42

A dealer may not sell, rent, or transfer a regulated firearm to a purchaser, lessee, or transferee who the person knows or has a reasonable cause to believe is prohibited from possessing a regulated firearm under COMAR 29.03.01.03.

COMAR 29.03.01.45

A person who applies to be a firearms dealer must include on their dealer application a declaration under penalty of perjury that the applicant is not prohibited under federal or State law from possessing a firearm.

COMAR 29.03.01.53

An application for a temporary transfer permit (relevant for gun shows) shall be denied if the applicant is prohibited by law from purchasing or possessing a firearm.

Regulation

COMAR 29.03.01.55

COMAR 29.03.01.55

COMAR 29.03.02.03

Restriction

Pawnshop sales must comply with the applicable COMAR and Public Safety provisions regarding sales and possession.

Public auctions and flea market sales must comply with the applicable COMAR and Public Safety provisions regarding sales and possession.

A person is eligible for issuance of a handgun permit only if the person: (1) is not prohibited from possessing a handgun under COMAR 29.03.01.03 or otherwise prohibited under federal or State law or (2) has not been convicted of a felony.

Source: Department of Legislative Services

Appendix 3. Business and Professional Licensure Felony Conviction

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Accountant	License may be denied, revoked, suspended if under the laws of the United States or of any state, is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice certified public accountancy.	Business Occupations § 2-315
Acupuncturists	License may be denied, revoked, suspended if is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 1A-309
Appraisal Management Companies	Registration may be denied, suspended, or revoked or registrant may be reprimanded if applicant or registrant is convicted under the laws of the United States or any state of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualifications of the registrant to provide appraisal management services.	Business Occupations § 16-701.2
Architects	License may be denied, revoked, suspended if under the laws of the United States or of any state, the applicant or licensee is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice architecture.	Business Occupations § 3-311
Assisted Living Program Staff	Have no criminal convictions or criminal history that indicates behavior that is potentially harmful to residents, as evidenced through a criminal history records check or a criminal background check.	COMAR 10.07.14.19

Occupation

Restrictions for Criminal Records

Code Sections

Associate Social Worker; Certified Social Worker; Certified Social Worker-Clinical; Graduate Social Worker

License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Health Occupations § 19-311

Athlete Agent

May deny a license if the Secretary determines that the applicant has engaged in conduct that has a significant adverse effect on the applicant's fitness to act as an athlete agent. Secretary may consider whether the applicant has been convicted of a crime that, if committed in the State, would be a crime involving moral turpitude or a felony.

Business Reg § 4-405

Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists

License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Health Occupations § 2-314

Occupation

Restrictions for Criminal Records

Code Sections

Autism Waiver Services
Provider

If agency, supervisory and direct care employees may not have been convicted of, received probation before judgment for, or entered a plea of *nolo contendere* to a felony or crime involving moral turpitude or theft, or have any other criminal history that indicated behavior that is potentially harmful to participants; if self-employed, may not have been convicted of, received probation before judgment for, or entered a plea of *nolo contendere* to a felony or crime involving moral turpitude or theft, or have any other criminal history that indicated behavior that is potentially harmful to participants; may request waiver of requirements if conviction was entered more than 10 years before date of prospective employee's application and criminal history does not indicate behavior that is potentially harmful to participants.

COMAR 10.09.56.04

Automated Purchasing
Machines

License may be denied, revoked, or suspended if applicant or licensee or an agent, an employee, a manager, or a partner of the applicant or licensee has been convicted under the laws of the United States or any state of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to be involved in buying or selling personal property.

Business Regulation § 20-307

Barbers

License may be denied, revoked, or suspended if under the laws of the United States or of any state, applicant or licensee is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice barbering.

Business Occupations § 4-314

Occupation

Restrictions for Criminal Records

Code Sections

Behavior Analyst	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 17-6A-19
Boxing; Kick Boxing; Wrestling; Mixed Martial Arts	License as participant, manager, referee, judge, second, matchmaker, or promoter maybe be denied if applicant or licensee has been convicted of a felony or a crime involving moral turpitude.	COMAR 09.14.02.07
Cemetery or Crematory Operator; Provider of Burial Goods	Registration may be denied, suspended, or revoked or registrant may be reprimanded if applicant or registrant is convicted under the laws of the United States or any state of (1) a felony or (2) misdemeanor that is directly related to the fitness and qualifications of the applicant, registrant, or permit holder to own or operate a cemetery or crematory or provide burial goods.	Business Regulation § 5-310
Certified Interior Designer	License may be denied, revoked, suspended if under the laws of the United States or of any state, is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide services as an interior designer.	Business Occupations § 8-310

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Check Cashing Service Providers	License or registration may be suspended or revoked if the licensee or registrant or any owner, director, officer, member, partner, stockholder, employee, or agent of the licensee or registrant if convicted under the laws of the United States or of any state, is of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide check cashing services. (Updated by Chs. 443 and 444 2020)	Financial Institutions § 12-122
Chiropractors	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside; or is convicted of insurance fraud.	Health Occupations § 3-313
Cosmetologist	License may be denied, revoked, or suspended if under the laws of the United States or of any state, is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice cosmetology.	Business Occupations § 5-314
Dentists; Dental Hygienists	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 4-315

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Developmental Disabilities Program Staff	A licensee may not employ or contract with any person who has a criminal history which would indicate behavior potentially harmful to individuals, documented through either a criminal history records check or a criminal background check.	COMAR 10.22.02.11
Discount Medical Plan Organization; Discount Drug Plan Organization	After hearing, registration may be denied, suspended, or revoked if applicant/registrant or an officer, director, or employee of the applicant/registrant has been convicted of a felony or a misdemeanor involving moral turpitude.	Insurance § 14-605
Electrician	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide electrical services.	Business Occupations § 6-316
Electricity Supplier	License may be suspended or revoked if licensee is convicted of, or has a principal who is convicted of, a felony or any crime involving fraud, theft, or deceit.	COMAR 20.51.03.06
Electrologist	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty to <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 8-6B-18

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Elevator Mechanic; Elevator Contractor; Elevator Renovator Contractor; Accessibility Lift Mechanic	License may be denied, revoked, or suspended if under the laws of the United States or any state, convicted of a (1) felony or (2) a misdemeanor that is directly related to the fitness and qualifications of the applicant or licensee to perform services as a elevator contractor, elevator mechanic, elevator renovator contractor, or elevator renovator mechanic.	Public Safety § 12-837
Environmental Health Specialist	License may be denied, revoked, suspended if convicted or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 21-312
Equipment Operators for Towing, Road Service, and Storage of Vehicles	Permitees may not employ equipment operators under this regulation who have been convicted of (1) a felony; (2) a misdemeanor directly related to towing, road service, or storage of vehicles; (3) driving while intoxicated or under the influence of alcohol, drugs, or any controlled dangerous substance; or (4) a criminal traffic offense.	COMAR 11.07.03.08
Explosives Manufacturer or Dealer	License shall be denied if applicant or officer, agent, or employee of the applicant has been convicted of a felony or crime involving violence.	Public Safety § 11-107
Farm Labor Contractors	License may be denied, revoked or suspended if convicted of a felony under a law of the State or under federal law; or during the past 5 years has been convicted of a misdemeanor in connection with performing a farm labor contracting service if the misdemeanor relates to gambling; sale, distribution or possession of an alcoholic beverage; or sale, distribution or possession of a controlled dangerous substance.	Labor and Employment § 7-308

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Fire Sprinkler Contractor	License may be denied, suspended, or revoked if applicant or licensee or any employee or contractor of the applicant or licensee is convicted of any felony or misdemeanor violation of the State Fire Code or the fire code of any other state or the District of Columbia.	COMAR 29.06.05.05
Fireworks Plant License	State Fire Marshall may deny a license to operate a fireworks plant to an applicant who has been convicted of a felony under federal law or any state law.	Public Safety § 10-201
Foresters	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice forestry.	Business Occupations § 7-309
Heating, Ventilation, Air Conditioning, and Refrigeration Contractors	License may be suspended or revoked, or licensee may receive reprimand if convicted under the laws of the United States or any state of a (1) felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide heating, ventilation, air-conditioning, or refrigeration services.	Business Regulation § 9A-310
Home Improvement (Contractors and Subcontractors)	License may be denied, revoked, suspended if under the laws of the United States or of any state, is convicted of a felony that is directly related to the fitness and qualification of the applicant or licensee to engage in home improvement services.	Business Occupations § 8-311

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Home Inspectors	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant, licensee, or certificate holder to provide home inspection services.	Business Occupations § 16-701.1
Hospice Care Facility License	License to operate hospice care facility shall be denied if applicant or licensee has been convicted of a felony relating to Medicaid or a nursing home.	Health - General § 19-911
Hospital and Related Institutions License	License to operate hospital, related facility, or residential treatment center shall be denied or revoked if applicant or licensee has been convicted of a felony that relates to Medicaid or to a nursing home.	Health - General § 19-327
Individual Exchange Connector Entity	Individual Exchange connector entity authorization may be suspended or revoked if the Individual Exchange connector entity has been convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust.	Insurance § 31-113
Individual Tax Preparer	Registration may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of a felony or misdemeanor either of which is directly related to the fitness and qualification of the applicant or registrant to provide individual tax preparation services.	Business Occupations § 21-311

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Insurance Producer	License to business entity may be denied, suspended, revoked, or not renewed if entity has (1) knowingly employed individual in a fiduciary capacity who has been convicted of a felony or crime of moral turpitude within the proceeding 10 years or (2) employed an insurance producer who has been convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust.	Insurance § 10-126
Landscape Architects	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice landscape architecture.	Business Occupations § 9-310
Licensed Dietician-nutritionists	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty to <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 5-311
Locksmith	License may be denied, suspended, revoked, or not renewed if under the laws of the United States or any state applicant or licensee is convicted of (1) a felony or misdemeanor or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to be involved in providing locksmith services	Business Regulation § 12.5-211

Occupation

Restrictions for Criminal Records

Code Sections

Massage Therapist

License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty to *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Health Occupations § 6-308

Medical Cannabis
Dispensary Agent

Natalie M. LaPrade Medical Cannabis Commission may not register an individual as a dispensary agent if the individual has been convicted of a felony drug offense (1) earlier than 7 years after the individual has satisfied the sentence imposed including parole, probation, or mandatory supervisions or (2) under § 5-612 or § 5-613 of the Criminal Law Article, regardless of whether the individual has satisfactorily completed the sentence for the offense.

Health - General § 13-3312

Medical Cannabis
Grower

Natalie M. LaPrade Medical Cannabis Commission may not register an individual as a processor agent if the individual has been convicted of a felony drug offense (1) earlier than 7 years after the individual has satisfied the sentence imposed including parole, probation, or mandatory supervisions or (2) under § 5-612 or § 5-613 of the Criminal Law Article, regardless of whether the individual has satisfactorily completed the sentence for the offense.

Health - General § 13-3306

Occupation

Restrictions for Criminal Records

Code Sections

Medical Cannabis
Processor Agent

Natalie M. LaPrade Medical Cannabis Commission may not register an individual as a processor agent if the individual has been convicted of a felony drug offense (1) earlier than 7 years after the individual has satisfied the sentence imposed including parole, probation, or mandatory supervisions or (2) under § 5-612 or § 5-613 of the Criminal Law Article, regardless of whether the individual has satisfactorily completed the sentence for the offense.

Health - General § 13-3310

Mortgage Lenders

May suspend or revoke the license of any licensee if the licensee or any owner, director, officer, member, partner, stockholder, employee, or agent of the licensee is convicted if under the laws of the United States or of any state of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the person to engage in the mortgage lending business.

Financial Institutions § 11-517

Mortgage Originators

License shall be revoked if licensee while licensed is convicted of a felony. May suspend or revoke the license of any licensee if the licensee is convicted of a misdemeanor that is directly related to the fitness and qualification of the individual to act as a mortgage originator.

Financial Institutions § 11-615

Morticians; Apprentices;
Funeral Directors

License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty to *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Health Occupations § 7-316

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Motor Vehicle Mechanical Repair Contract Obligor	Registration may be denied, suspended, or revoked if convicted of a felony or of a misdemeanor involving moral turpitude in connection with the sale, solicitation, negotiation, or administration of a mechanical repair contract.	Transportation § 15-311.2
Nursing Assistant; Medication Technician	Certificate may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty to <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 8-6A-10
Nursing Home Administrators	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty to <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 9-314
Occupational Therapists; Occupational Therapy Assistants	License may be denied, revoked, suspended if applicant or licensee is convicted or pleads guilty to <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 10-315
Optometrists	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty to <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 11-313

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Pharmacists; Pharmacy Technician; Pharmacy Technician Trainee	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 12-313
Physical Therapists; Physical Therapist Assistant	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 13-316
Residential Treatment Center for Emotionally Disturbed Children and Adolescents	License shall be denied for person who has been convicted of a felony that relates to Medicaid or to a nursing home; license shall be revoked for any licensee convicted of a felony related to Medicaid or to a nursing home.	COMAR 10.07.04.05
Respiratory Care Practitioners	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 14-5A-17
Pilots	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony (2) a misdemeanor that is directly related to the fitness and qualification of the applicant of licensee to provide pilotage.	Business Occupations § 11-409

Occupation

Restrictions for Criminal Records

Code Sections

Plumber; Journey
Plumber; Apprentice
Plumber; Natural
Gas Fitter;
Journeyman Natural
Gas Fitter;
Apprentice Natural
Gas Fitter

License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide plumbing services.

Business Occupations § 12-312

Podiatrists

License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Health Occupations § 16-311

Private Child Placement
Agencies
(employees,
volunteers,
governing board
members)

The applying employee, volunteer, or governing board member shall be rejected if a criminal background check reveals that an applicant has a felony conviction for (a) child abuse or neglect, spousal abuse, any crime against children, rape, sexual assault, or homicide or (b) physical assault, battery, or drug-related offense in the 5 years before the application date.

COMAR 07.05.01.09

Occupation

Restrictions for Criminal Records

Code Sections

Private Detectives	The applicant may be denied a private detective identification card if the applicant (1) has been convicted of a crime of violence, which is defined here as: (a) abduction, (b) arson, (c) burglary, including common law and all statutory and storehouse forms of burglary offenses, (d) escape, (e) housebreaking, (f) kidnapping, (g) manslaughter, excepting involuntary manslaughter, (h) mayhem, (i) murder, (j) rape, (k) robbery, (l) sodomy, or (m) an attempt to commit any of the above offenses, or assault with intent to commit any other offense for which the court sentences an individual to imprisonment for more than 1 year or (2) has been convicted of a felony.	COMAR 29.04.08.03
Private Home Detention Services Providers	License may be denied, revoked, suspended if applicant or licensee (1) has a felony conviction or (2) knowingly employs or knowingly continues to employ a private home detention monitor after being notified by the Secretary that the individual has a felony conviction.	Business Occupations § 20-314
Professional Counselor; Professional Therapist	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 17-509
Professional Engineers	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice engineering.	Business Occupations § 14-317

Occupation

Restrictions for Criminal Records

Code Sections

Professional Land Surveyors

License may be denied, revoked, suspended if under the laws of the United States or of any state, is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to practice land surveying or property line surveying.

Business Occupations § 15-317

Psychologists

License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Health Occupations § 18-313

Public Adjusters

License of an individual may be denied or revoked or may not be reinstated or renewed if individual has been convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust. License for business entity may also be denied or revoked or may not be reinstated or renewed if the following individuals related to the entity are convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust: (1) a public adjuster employed by the entity; (2) in the case of an LLC, an officer, director, member, or manager; (3) in the case of a partnership, a partner; (4) in the case of a corporation, a director; officer, or controlling owner; or (5) an individual who has direct control over the fiscal management of the business entity.

Insurance § 10-410

Racetrack License (Horse)

License may be denied if applicant has been convicted of a felony or a crime of moral turpitude that is reasonably related to the applicant's fitness to hold a racetrack license.

COMAR 09.10.06.51

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Railroad Police Officer	May not be appointed if convicted of a felony or misdemeanor involving moral turpitude.	Public Safety § 3-403
Real Estate Appraisers	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide real estate appraisal services.	Business Occupations § 16-701
Real Estate Brokers	License may be denied, revoked, suspended if under the laws of the United States or of any state, convicted of (1) a felony; (2) a misdemeanor that is directly related to the fitness and qualification of the applicant, licensee, or certificate holder to provide real estate brokerage services; or (3) a crime that constitutes a violation of the title governing real estate brokers.	Business Occupations § 17-322
Registered Nurses; Licensed Practical Nurses	License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or <i>nolo contendere</i> to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.	Health Occupations § 8-316
Secondhand Precious Metal Object Dealers and Pawnbrokers	License may be denied, revoked, suspended if under the laws of the United States or of any state, is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the employee to be involved in a pawn transaction of the sale or acquisition of secondhand precious metals.	Business Regulation § 12-209

Occupation

Restrictions for Criminal Records

Code Sections

Electrologists

License may be denied, revoked, suspended if applicant or licensee is convicted of or pleads guilty or *nolo contendere* to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.

Health Occupations § 8-6B-18

Security Guard

The applicant may be denied a certification card if the applicant (1) has been convicted of a crime of violence, which is defined as: (a) abduction, (b) arson, (c) burglary, including common law and all statutory and storehouse forms of burglary offenses, (d) escape, (e) housebreaking, (f) kidnapping, (g) manslaughter, excepting involuntary manslaughter, (h) mayhem, (i) murder, (j) rape, (k) robbery, (l) sodomy, or (m) an attempt to commit any of the above offenses, or assault with intent to commit any other offense for with the court sentences an individual to imprisonment for more than 1 year; (2) has been convicted of a felony; or (3) has been convicted of any criminal act directly relating to the applicant's employment with a detective agency.

COMAR 29.04.01.02

Security Systems
Technicians

License and registration may be denied, revoked, suspended if pleads guilty or *nolo contendere* to or is convicted of a felony, theft offense, or crime of moral turpitude.

Business Occupations §§ 18-309 and 18-3A-09

Stationary Engineers

License may be denied, revoked, suspended if under the laws of the United States or of any state, is convicted of (1) a felony or (2) a misdemeanor that is directly related to the fitness and qualification of the applicant or licensee to provide services as a stationary engineer.

Business Occupations § 6.5-314

Occupation

Taxicab Driver

Restrictions for Criminal Records

An individual may be denied a license for an indefinite period if the individual (1) has been convicted of a crime of violence, as defined by Criminal Law Article, §14-101, including any conspiracy, solicitation, attempt, or accessory to such crime of violence; (2) within the 7-year period prior to the date of submission of the application, has been convicted of any felony offense that is not defined as a crime of violence under Criminal Law Article, §14-101; (3) within a 3-year period prior to the date of the submission of the application, has been convicted of any crime classified as a misdemeanor in the State that involves violence against a person, including any conspiracy, solicitation, attempt, or accessory to such crime of violence; (4) within 10 years prior to the date of submission of the application, has been convicted of two or more felony offenses that were not crimes of violence, provided these crimes arose out of separate incidents; (5) has been convicted of three or more misdemeanor crimes of violence; (6) within 7 years prior to the date of submission of the application, has been convicted of three or more misdemeanor crimes of violence, provided each of these offenses arose out of separate incidents; (7) within the 3-year period prior to the date of the application, been convicted of reckless or negligent driving, use of a text messaging device while driving or use of a handheld telephone while driving if such use results in personal injury, failure to stop for a police officer, speeding 31 MPH or more over the posted speed limit, street or drag racing, driving after the individual's license has been withdrawn or revoked, driving with a counterfeit or altered license or making a material misrepresentation about a driving

Code Sections

COMAR 20.90.01.19

Occupation

Restrictions for Criminal Records

Code Sections

license or, as a result of the refusal of a chemical test, the individual's license is revoked or suspended; (8) within the 5-year period prior to the date of the application, has been convicted of two or more major traffic violations; or (9) within the 4-year period prior to the date of the application, has been convicted of four moving traffic violations. Applies for convictions in other states that are substantially similar to Maryland law.

Teachers and other
Personnel
(Elementary and
Secondary
Education)

A county board may not knowingly hire or retain any individual who has been convicted of a crime involving (1) an offense under § 3-307 or § 3-308 of the Criminal Law Article, or an offense under the laws of another state that would constitute a violation of § 3-307 or § 3-308 of the Criminal Law Article if committed in the State; (2) child sexual abuse under § 3-602 of the Criminal Law Article, or an offense under laws of another state that would constitute child sexual abuse under § 3-602 of the Criminal Law Article if committed in this State; or (3) a crime of violence as defined in § 14-101 of the Criminal Law Article, or an offense under the laws of another state that would be in violation of § 14-101 of the criminal Law Article if committed in this State.

Education § 6-113

Third-party
Administrator
Acting as Insurer or
Plan Sponsor

Registration may be denied, suspended or revoked after a hearing if convicted of a felony or misdemeanor involving moral turpitude.

Insurance § 8-309

<u>Occupation</u>	<u>Restrictions for Criminal Records</u>	<u>Code Sections</u>
Variable Life Insurance Separate Account Administration	Without prior written approval of the Commissioner, insurer may not employ in any material connection with the handling of separate account assets any person who within the previous 10 years (a) has been convicted of any felony, or of a misdemeanor arising out of this person's conduct involving embezzlement, fraudulent conversion, or misappropriation of funds or securities or involving violation of 18 U.S.C. §1341, 1342, or 1343; (b) has been found by any state regulatory authority to have violated or has acknowledged violation of any provision of any state insurance law involving fraud, deceit, or knowing misrepresentation; or (c) has been found by federal or state regulatory authorities to have violated, or has acknowledged violation of, any provision of federal or state securities laws involving fraud, deceit, or knowing misrepresentation.	COMAR 31.09.02.06
Veterinarian	License may be denied, revoked, suspended if convicted of a felony or a crime involving moral turpitude; convicted of violation of Title 5, subtitle 4 of the Criminal Law Article or a controlled substance as defined by 21 U.S.C. § 812.	Agriculture § 2-310
Veterinary Technician	License may be denied, revoked, suspended, revoked if (1) convicted of felony or crime of moral turpitude or (2) is convicted of a violation of any federal or State law relating to narcotic drugs.	Agriculture § 2-309
Viatical Settlement Provider	Registration may be denied, suspended or revoked after a hearing if convicted of a felony or misdemeanor involving moral turpitude.	Insurance § 8-608

Occupation

Restrictions for Criminal Records

Code Sections

1915(i) Intensive Behavioral Health Services Provider for Children, Youth, and Families

Individual may not provide 1915(i) services if convicted of, received probation before judgment for, or entered a plea of *nolo contendere* to, a felony or any crime involving moral turpitude or theft, or have any other criminal history that indicates behavior which is potentially harmful to participants; may receive waiver of prohibition if conviction, probation before judgment, or plea of *nolo contendere* to felony or crime involving moral turpitude or theft was entered more than 10 years before the date of the employment application and criminal history does not indicate behavior that is potentially harmful to participants.

COMAR 10.09.89.08

Source: Maryland Annotated Code and COMAR

**Appendix 4. Mandatory Consequences Under Federal Law
for a Felony Conviction**

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
5 U.S.C.S. S. § 7371	Discharge from federal law enforcement officer employment	Employment and volunteering	Public employment	Any felony	Mandatory/ Automatic	Indefinite
42 U.S.C.S. § 423	Forfeit SSI disability payments (injuries incurred/aggravated in connection with felony)	Government benefits	Social Security, SSI, unemployment and disability benefits	Any felony	Mandatory/ Automatic	Indefinite
38 U.S.C.S. § 5313B	Forfeit veterans' benefits while fugitive felon	Government benefits	Military, veterans and national defense	Any felony	Mandatory/ Automatic	Conditional
13 C.F.R. 123.502	Ineligible for a Military Reservist Economic Injury Disaster loan (SBA)	Government loans and grants	Military, veterans and national defense	Any felony	Mandatory/ Automatic	Time-limited
38 U.S.C.S. § 3108	Ineligible for veteran subsistence allowance while in rehabilitation program	Government benefits	Military, veterans and national defense	Any felony	Mandatory/ Automatic	Time-limited
25 C.F.R. 11.314	Ineligible for jury service (tribal courts)	Political and civic participation	Jury service	Any felony	Mandatory/ Automatic	Indefinite
29 C.F.R. 18.609	Impeach credibility of witness in Department of Labor Hearings	Judicial Rights	Law enforcement, corrections and public safety	Any felony	Mandatory/ Automatic	Time-limited
12 U.S.C.S. § 1822	Ineligible for employment with a receiver corporation	Employment and volunteering	Banking, lending, securities and finance	Any felony	Mandatory/ Automatic	Indefinite
38 C.F.R. 3.665	Forfeit veterans' benefits while incarcerated	Government benefits	Military, veterans and national defense	Any felony	Mandatory/ Automatic	Indefinite
12 C.F.R. 620.5	Disclose conviction in annual report to shareholders (Farm Credit Administration)	Registration, publication and notification	Banking, lending, securities and finance	Any felony	Mandatory/ Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
14 C.F.R. 1274.944	Notify federal agencies of conviction of employee (NASA requirement)	Employment and volunteering	Public employment	Any felony/Any misdemeanor	Mandatory/Automatic	Time-limited
8 C.F.R. 244.4	Ineligible for temporary protected status for nationals of designated states	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
8 C.F.R. 214.2	Remove alien witness/informant in S nonimmigrant classification	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
8 C.F.R. 204.2	Ineligible for visa as abused spouse/child of citizen/permanent resident (good moral character)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
USCS Ct App 2nd Cir, Appx VI	Suspend/remove from Criminal Justice Act Panel list (2nd Circuit)	Occupational and professional licensure and certification	Lawyers, judges and advocates	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
49 C.F.R. 384.228	Deny/revoke commercial driver's license examiner certification	Occupational and professional licensure and certification	Transportation and commercial motor vehicles	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/Automatic	Varies
41 U.S.C.S. § 4310	Ineligible for reimbursement of federal contractor's legal fees related to conviction for violation of federal statutes/regulations	Civil fines, liability, forfeiture and property rights	Civil litigation and administrative proceedings	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
26 U.S.C.S. § 401	Ineligible for tax-free payment of trust administration fees from trust	Business licensure and participation	Trusts, estates and guardianship	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
36 U.S.C.S. § 40732	Ineligible to purchase firearms/supplies from Civilian Marksmanship Program	Government contracting and program participation	Firearms, weapons and explosives	Any felony/Weapons offenses	Mandatory/Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
15 U.S.C.S. § 78u-6	Deny federal securities law whistleblower reward	Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
8 U.S.C.S. § 1229c	Ineligible for voluntary departure (good moral character)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
49 C.F.R. 391.49	Report convictions of disabled commercial driver holding Performance Evaluation certificate to Federal Motor Carrier Safety Administration	Occupational professional licensure and certification	Transportation and commercial motor vehicles	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
12 C.F.R. 336.4	Ineligible for employment with the FDIC	Employment volunteering	Banking, lending, securities and finance/Public employment	Any felony	Mandatory/Automatic	Indefinite
7 C.F.R. 273.11	Ineligible for inclusion as a household member for the purpose of calculating food stamp benefits	Government benefits	Public assistance and food stamps	Any felony/Controlled substances offenses	Mandatory/Automatic	Indefinite
22 C.F.R. 51.22	Ineligible for employment as a passport acceptance agent	Employment volunteering	Immigration, naturalization and travel	Any felony/Crime of moral turpitude	Mandatory/Automatic	Indefinite
46 U.S.C.S. § 11113	Ineligible for benefits under the Abandoned Seafarers Fund	Government benefits	Maritime and sea vessels	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
42 U.S.C.S. § 13726b	Ineligible for employment in prisoner transport companies	Employment volunteering	Law enforcement, corrections and public safety	Any felony/Crimes of violence, including 'person offenses'	Mandatory/Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
42 U.S.C.S. § 608	Ineligible for AFDC/child welfare benefits	Government benefits	Public assistance and food stamps	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Varies
22 C.F.R. 41.2	Ineligible for entry into United States without visa/passport (Cayman, Turks, Caicos, and British Virgin Islands)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
19 C.F.R. 146.82	Suspend privilege to operate in foreign trade zone	Business licensure and participation	International trade and customs	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Indefinite
16 C.F.R. 436.5	Disclose convictions of franchisor/promoter to potential franchisee (Federal Trade Commission)	Business licensure and participation/Registration, publication and notification	Business contracts (private) and dissolution	Any felony	Mandatory/ Automatic	Time-limited
13 C.F.R. 124.108	Ineligible for a Minority Small Business and Capital Ownership Development business development loan	Government loans and grants	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
13 C.F.R. 123.702	Ineligible for an Immediate Disaster Assistance Program loan (SBA)	Government loans and grants	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
13 C.F.R. 123.101	Ineligible for a home disaster loan (SBA)	Government loans and grants	Real estate and property/Banking, lending, securities and finance	Any felony	Mandatory/ Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
7 C.F.R. 769.109	Deny intermediary lender application (Farm Service Agency loans)	Government contracting and program participation	Banking, lending, securities and finance/Agriculture, livestock and food	Any felony	Mandatory/ Automatic	Time-limited
5 U.S.C.S. § 8148	Ineligible for worker's compensation benefits	Government benefits	Social Security, SSI, unemployment and disability benefits	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Varies
50 C.F.R. 660.17	Ineligible for employment as a West Coast groundfish catch monitor	Employment and volunteering	Commercial fishing	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
43 C.F.R. 422.11	Background check for employment with Bureau of Reclamation enforcement	Employment and volunteering	Law enforcement, corrections and public safety	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
10 U.S.C.S. § 972	Impose requirement to make up lost military service time due to incarceration	Employment and volunteering	Military, veterans and national defense	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1255a	Ineligible for adjustment of status (aliens unlawfully present since 1982)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1254a	Ineligible for temporary protected status	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1184	Ineligible for admission/continued stay in a lawful status as a nonimmigrant	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1158	Ineligible to apply for asylum	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
USCS Fed Rules Evid R 803	Ineligible to exclude evidence of prior conviction as hearsay	Judicial Rights	Judicial evidence and witnesses	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
49 C.F.R. 1562.29	Ineligible for employment as security officer at Ronald Reagan Airport	Employment volunteering	and Law enforcement, corrections and public safety/Aviation and airports	Any felony	Mandatory/ Automatic	Indefinite
38 C.F.R. 3.14	Forfeit veterans' disability benefits (enlistment voided due to conviction)	Government benefits	Social Security, SSI, unemployment and disability benefits/Military, veterans and national defense	Any felony	Mandatory/ Automatic	Indefinite
13 C.F.R. 123.404	Ineligible for a pre-disaster mitigation loan (SBA)	Government loans grants	and Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
12 C.F.R. 336.5	Discharge from employment with the FDIC	Employment volunteering	and Banking, lending, securities and finance/Public employment	Any felony	Mandatory/ Automatic	Indefinite
8 C.F.R. 245a.3	Ineligible for adjustment of status from temporary resident to permanent resident	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
28 U.S.C.S. § 364	Ineligible to accrue retirement benefits as judge of United States after felony conviction	Government benefits	Retirement and pensions/Lawyers, judges and advocates	Any felony	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
24 C.F.R. 200.219	Ineligible for FHA contract/program participation	Government contracting and program participation/Government loans and grants	Housing benefits and programs	Any felony	Mandatory/ Automatic	Indefinite
42 U.S.C.S. § 1320a-8	Collateral estoppel/res judicata in administrative proceedings for fraud in connection with benefits under titles II/VIII/XVI	Judicial Rights	Civil litigation and administrative proceedings	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
42 U.S.C.S. § 1004	Ineligible for special Social Security benefits for World War II Veterans	Government benefits	Social Security, SSI, unemployment and disability benefits/Military, veterans and national defense	Any felony	Mandatory/ Automatic	Conditional
36 U.S.C.S. § 40723	Ineligible to participate in Civilian Marksmanship Program activities	Government contracting and program participation	Firearms, weapons and explosives	Any felony/Weapons offenses	Mandatory/ Automatic	Indefinite
28 U.S.C.S. § 1865	Ineligible for jury service	Political and civic participation	Court personnel, general legal services and bail bonds/Jury service	Any felony	Mandatory/ Automatic	Indefinite
34 C.F.R. 686.32	Ineligible for TEACH grant loan forgiveness	Government loans and grants	Education and schools/Students and interns	Any felony	Mandatory/ Automatic	Indefinite
25 C.F.R. 11.201	Ineligible for service as magistrate judge of tribal court	Judicial Rights	Lawyers, judges and advocates	Any felony/Any misdemeanor	Mandatory/ Automatic	Varies
13 C.F.R. 120.140	Ineligible to serve as a business loan lender, intermediary or certified development company (SBA)	Government contracting and program participation/Business licensure and participation	Banking, lending, securities and finance	Any felony	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
8 C.F.R. 245a.4	Deny/revoke temporary resident status (specified Poland/Uganda/Ethiopia/Afghanistan nationals)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
20 C.F.R. 416.1517	Ineligible for direct payment of fees for representation of parties for supplemental security income for the aged, blind, and disabled	Civil fines, liability, forfeiture and property rights	Social Security, SSI, unemployment and disability benefits/Lawyers, judges and advocates/Civil litigation and administrative proceedings	Any felony	Mandatory/Automatic	Indefinite
17 C.F.R. 240.15a-6	Ineligible for registration exemption for foreign broker/dealer offering securities to institutional investor	Business licensure and participation/Occupational and professional licensure and certification	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
17 C.F.R. 240.14a-101	Disclose convictions in proxy solicitation statement	Business licensure and participation/Registration, publication and notification	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Time-limited
17 C.F.R. 229.401	Disclose convictions of director/executive officer of publicly traded corporation (SEC)	Business licensure and participation/Registration, publication and notification	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Time-limited
17 C.F.R. 165.6	Ineligible for Commodity Futures Trading Commission whistleblower award program (CFTC)	Government benefits/Civil fines, liability, forfeiture and property rights	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
12 C.F.R. 620.6	Disclose convictions of directors/senior officers in annual report to shareholders (Farm Credit Administration)	Employment and volunteering/Business licensure and participation/Registration, publication and notification	Banking, lending, securities and finance	Any felony	Mandatory/Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
9 C.F.R. 161.6	Suspend/revoke veterinarian accreditation	Occupational and professional licensure and certification	Domestic animals/Veterinarians	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
42 C.F.R. 460.68	Ineligible for employment with Program of All-inclusive Care for the Elderly (PACE)	Employment and volunteering	Health care/Medicaid, Medicare and other public health benefits	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
27 C.F.R. 555.26	Ineligible to transport, ship, cause to be transported, receive or possess explosive materials	Business licensure and participation/Recreational license and participation, including firearms	Firearms, weapons and explosives	Any felony/Controlled substances offenses	Mandatory/Automatic	Indefinite
8 C.F.R. 316.2	Ineligible for naturalization (good moral character) (immigration)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Crimes of violence, including 'person offenses'/Crime of moral turpitude	Mandatory/Automatic	Indefinite
24 U.S.C.S. § 412	Ineligible for residency in Armed Forces veterans retirement home	Government benefits/Housing and residency	Housing benefits and programs/Military, veterans and national defense	Any felony	Mandatory/Automatic	Indefinite
10 U.S.C.S. § 2324	Ineligible for reimbursement of costs incurred during criminal proceeding related to Department of Defense contracting	Government contracting and program participation/Civil fines, liability, forfeiture and property rights	Military, veterans and national defense	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
13 C.F.R. 120.110	Ineligible for Small Business Administration (SBA) loan (conviction of owner officer/director/key employee)	Government loans and grants/Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony	Mandatory/Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
2 C.F.R. PART 200 APPEND IX XII	Notify System of Award Management of conviction (grant/cooperative agreement/procurement contract award recipients)	Government contracting and program participation/Government loans and grants	Government procurement contracts and programs	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
24 C.F.R. 115.311	Ineligible for employment as tester for Fair Housing Assistance Program	Government contracting and program participation/Employment and volunteering	Housing benefits and programs	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/Automatic	Indefinite
20 C.F.R. 1002.135	Forfeit commission in armed services	Political and civic participation/Employment and volunteering	Military, veterans and national defense	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
17 C.F.R. 240.13d-101	Disclose conviction upon acquiring greater than 5% of a class of equity securities	Business licensure and participation/Registration, publication and notification	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Time-limited
17 C.F.R. 230.602	Ineligible for exemption from registration requirement for securities issued by small business investment company/closed-end investment company regulated as business development company (conviction of key personnel/issuer/affiliates)	Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Time-limited
28 C.F.R. 50.24	Ineligible to provide annuity brokerage services in connection with structured settlements entered by the United States	Government contracting and program participation/Business licensure and participation	Banking, lending, securities and finance/Civil litigation and administrative proceedings	Any felony	Mandatory/Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
27 C.F.R. 478.99	Ineligible to purchase firearm/ammunition	Recreational license and participation, including firearms	Firearms, weapons and explosives	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'	Mandatory/Automatic	Indefinite
12 C.F.R. 1026.36	Ineligible for employment with loan originator organization	Employment and volunteering	Banking, lending, securities and finance	Any felony/Child Support offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/Automatic	Varies
15 U.S.C.S. § 77z-2	Ineligible for safe harbor for forward-looking statements	Judicial Rights/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/Automatic	Time-limited
37 C.F.R. 1.21	Impose attorney/agent registration fee increase (Patent and Trademark Office)	Business licensure and participation	Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/Automatic	Indefinite
11 U.S.C.S. § 1328	Ineligible to discharge debt in bankruptcy	Judicial Rights/Business licensure and participation	Credit, debt services, bankruptcy and repossession	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
20 C.F.R. 901.31	Suspend/revoke ERISA-enrolled actuary status	Business licensure and participation/Occupational and professional licensure and certification	Insurance sales and services	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
8 C.F.R. 214.2	Ineligible for U.S. employment (dependents of representatives to international organizations)	Employment and volunteering/Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
8 C.F.R. 212.1	Ineligible for visa requirement waiver (British subjects resident in Cayman Islands/Turks and Caicos Islands)	Immigration, naturalization and travel	Agriculture, livestock and food/Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
48 U.S.C.S. § 1572	Ineligible for election to legislature (Virgin Islands)	Political and civic participation	Public office	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Indefinite
48 U.S.C.S. § 1423f	Ineligible for election to legislature (Guam)	Political and civic participation	Public office	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Indefinite
29 U.S.C.S. § 1056	Forfeit pension plan inalienability with regard to judgments for crimes involving the plan	Government benefits/Civil fines, liability, forfeiture and property rights	Retirement and pensions	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
25 U.S.C.S. § 2711	Ineligible for tribal gaming facility management contract	Employment and volunteering/Business licensure and participation	Gaming, lottery and racing	Any felony/Other	Mandatory/ Automatic	Indefinite
15 U.S.C.S. § 78u-5	Ineligible for safe harbor for forward looking statements	Judicial Rights	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Other	Mandatory/ Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
31 C.F.R. 10.82	Impose expedited suspension of IRS practitioner (attorney/CPA/enrolled agent/actuary/retirement plan agent/tax preparer)	Occupational and professional licensure and certification	Accounting/Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Time-limited
17 C.F.R. 227.503	Ineligible for registration exemption for sale of securities (conviction of owner/officer/director/issuer/predecessor and affiliate issuers)	Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Time-limited
8 C.F.R. 236.13	Ineligible for benefits under the Family Unity Program	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Crimes of violence, including 'person offenses'	Mandatory/ Automatic	Indefinite
17 C.F.R. 37.1501	Ineligible to serve as chief compliance officer of a swap execution facility	Employment and volunteering	Banking, lending, securities and finance	Any felony/Other/ Crimes involving fraud, dishonesty, misrepresentation or money laundering/Public corruption offenses	Mandatory/ Automatic	Indefinite
17 C.F.R. 3.3	Ineligible to serve as chief compliance officer of futures commission merchant/swap dealer/major swap participant	Employment and volunteering	Banking, lending, securities and finance	Any felony/Other/ Crimes involving fraud, dishonesty, misrepresentation or money laundering/Public corruption offenses	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
12 C.F.R. 623.4	Suspend from practicing before the Farm Credit Administration	Occupational and professional licensure and certification	Banking, lending, securities and finance/Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/ Crime of moral turpitude	Mandatory/ Automatic	Indefinite
15 U.S.C.S. § 78o-10	Limit association with security-based swap dealer/major security-based swap participant	Employment and volunteering	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Time-limited
15 U.S.C.S. § 5902	Ineligible for weapons license as armored car company employee	Employment and volunteering/Occupational and professional licensure and certification	Firearms, weapons and explosives/Private security, investigation and locksmiths	Any felony/Crimes of violence, including 'person offenses'	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1259	Ineligible for record of admission for permanent residence (aliens entering the United States before 1972) (good moral character)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Other	Mandatory/ Automatic	Indefinite
49 C.F.R. 391.15	Ineligible for employment as commercial motor carrier driver	Employment and volunteering/Occupational and professional licensure and certification	Transportation and commercial motor vehicles	Any felony/Controlled substances offenses/Motor vehicle offenses	Mandatory/ Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
42 U.S.C.S. § 1437d	Evict from public housing for fleeing confinement after felony conviction	Government benefits/Housing and residency	Housing benefits and programs	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'	Mandatory/ Automatic	Indefinite
25 U.S.C.S. § 3207	Ineligible for employment with Departments of the Interior/Health and Human Services requiring regular contact with tribal children	Employment and volunteering	Child care providers and youth programs/Public employment	Any felony/Crimes of violence, including 'person offenses'/Sex offenses	Mandatory/ Automatic	Indefinite
27 C.F.R. 478.32	Ineligible to transport/possess/receive/purchase firearms/ammunition (weapons)	Business licensure and participation/Recreational license and participation, including firearms	Firearms, weapons and explosives	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'	Mandatory/ Automatic	Indefinite
27 U.S.C.S. § 204	Ineligible for permit to sell/import/manufacture alcohol (convictions of officers/directors/stockholders)	Employment and volunteering/Business licensure and participation	Alcohol permits, licenses and sales/International trade and customs	Any felony/Controlled substances offenses	Mandatory/ Automatic	Time-limited
18 U.S.C.S. § 1956	Notify regulatory agency of conviction of financial institution officer/director/employee	Employment and volunteering/Business licensure and participation/Occupational and professional licensure and certification	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
43 C.F.R. 422.10	Deny employment as Bureau of Reclamation officer (law enforcement)	Employment and volunteering/Occupational and professional licensure and certification	Law enforcement, corrections and public safety/Public employment	Any felony/Crimes of violence, including 'person offenses'	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
12 C.F.R. 701.14	Report convictions of new board members/senior officers of newly chartered/troubled credit union to National Credit Union Administration	Employment and volunteering/Business licensure and participation/Registration, publication and notification	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
15 U.S.C.S. § 78o-5	Ineligible for employment with government securities broker/dealer	Employment and volunteering	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Time-limited
17 C.F.R. 230.262	Ineligible for registration requirement exemption for conditional small issues of securities (conviction of owner/officer/director/issuer/predecessor and affiliate issuers)	Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Varies
17 C.F.R. 229.1003	Disclose conviction of each filing person in a merger or acquisition filing (SEC)	Employment and volunteering/Business licensure and participation/Registration, publication and notification	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Time-limited
13 C.F.R. 107.660	Notify SBA of conviction by officer/director/partner of Small Business Investment Company	Government contracting and program participation/Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor	Mandatory/ Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
12 C.F.R. 513.4	Suspend from practice before the Office of Thrift Supervision	Occupational and professional licensure and certification	Banking, lending, securities and finance/Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Indefinite
9 C.F.R. 439.50	Deny/revoke accreditation of nonfederal meat inspection chemistry laboratory	Employment and volunteering/Business licensure and participation	Agriculture, livestock and food	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Public corruption offenses	Mandatory/ Automatic	Indefinite
8 C.F.R. 212.15	Ineligible to serve as officer/director of organization which certifies foreign health care workers	Employment and volunteering/Business licensure and participation	Health care/Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1427	Ineligible for naturalization (good moral character)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Other	Mandatory/ Automatic	Indefinite
5 U.S.C.S. § 7313	Ineligible to hold office/be employed with federal government/District of Columbia	Political and civic participation/Employment and volunteering	Public employment/ Public office	Any felony/Other	Mandatory/ Automatic	Time-limited
USCS Ct of Int'l Trade R 74	Suspend/disbar attorney from Court of International Trade	Occupational and professional licensure and certification	Lawyers, judges and advocates	Any felony/Any misdemeanor/ Crimes involving fraud, dishonesty, misrepresentation or money laundering/Public corruption offenses	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
18 U.S.C.S. § 922	Ineligible to sell/ship/transport/possess/receive firearm/ammunition	Business licensure and participation/Recreational license and participation, including firearms	Firearms, weapons and explosives	Any felony/Crimes of violence, including 'person offenses'/Weapons offenses	Mandatory/ Automatic	Indefinite
18 U.S.C.S. § 842	Ineligible to receive/ship/transport explosive materials	Business licensure and participation/Occupational and professional licensure and certification	Firearms, weapons and explosives/ Transportation and commercial motor vehicles/ Hazardous materials, pesticides, chemicals and waste	Any felony	Mandatory/ Automatic	Indefinite
12 U.S.C.S. § 5104	Ineligible for mortgage loan originator license	Business licensure and participation/Occupational and professional licensure and certification	Real estate and property/Banking, lending, securities and finance	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Varies
7 U.S.C.S. § 26	Deny Department of Agriculture whistleblower award	Government benefits/Civil fines, liability, forfeiture and property rights	Civil litigation and administrative proceedings/ Agriculture, livestock and food	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
46 C.F.R. 310.54	Background check for admission to United States Merchant Marine Academy	Education/Occupational and professional licensure and certification	Education and schools/Maritime and sea vessels	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
46 C.F.R. 122.280	Record conviction of seaman in captain's logbook	Employment and volunteering/Occupational and professional licensure and certification	Transportation and commercial motor vehicles/Maritime and sea vessels	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
45 C.F.R. PART 75 APPEND IX XII	Notify Department of Health and Human Services of conviction (HHS contractors/grantees)	Government contracting and program participation/Government loans and grants	Health care/Government procurement contracts and programs	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
43 C.F.R. 422.12	Discharge Bureau of Reclamation officer (law enforcement)	Employment and volunteering/Occupational and professional licensure and certification	Law enforcement, corrections and public safety/Public employment	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
24 C.F.R. 966.4	Terminate public housing lease agreement	Government benefits/Housing and residency	Housing benefits and programs	Any felony/Any misdemeanor/ Controlled substances offenses	Mandatory/ Automatic	Indefinite
17 C.F.R. 227.301	Ineligible to operate as issuer in securities transaction (conviction of owner/officer/director/issuer/predecessor and affiliate issuers)	Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Time-limited
17 C.F.R. 201.102	Suspend from practice before the Commodity Futures Trading Commission	Occupational and professional licensure and certification	Banking, lending, securities and finance/Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
33 U.S.C.S. § 931	Ineligible to represent clients in Longshore/Harbor Workers' Compensation cases	Occupational and professional licensure and certification	Social Security, SSI, unemployment and disability benefits/Lawyers, judges and advocates	Any felony/Any misdemeanor/Other	Mandatory/Automatic	Indefinite
49 U.S.C.S. § 31311	Suspend/revoke commercial vehicle license/privileges in participating states	Occupational and professional licensure and certification	Transportation and commercial motor vehicles	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'/Motor vehicle offenses	Mandatory/Automatic	Varies
49 U.S.C.S. § 31310	Report conviction for commercial motor vehicle-related offenses to Secretary of Transportation	Occupational and professional licensure and certification	Transportation and commercial motor vehicles	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'/Motor vehicle offenses	Mandatory/Automatic	Varies
41 U.S.C.S. § 2313	Publish convictions of federal agency contractor/grant recipient in federal database (Office of Federal Procurement Policy)	Government contracting and program participation/Government loans and grants/Registration, publication and notification	Government procurement contracts and programs	Any felony/Any misdemeanor	Mandatory/Automatic	Indefinite
25 U.S.C.S. § 2704	Ineligible for appointment to National Indian Gaming Commission	Political and civic participation/Employment and volunteering	Gaming, lottery and racing/Public office	Any felony/Other	Mandatory/Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
21 U.S.C.S. § 360eee-2	Ineligible for prescription drug wholesale distributor license	Business licensure and participation	Health care/Pharmacy and drugs	Any felony/Controlled substances offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1255b	Ineligible for adjustment of status (aliens admitted as nonimmigrants) (good moral character)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/Controlled substances offenses/Other	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1435	Ineligible to regain United States citizenship (good moral character)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/Controlled substances offenses/Other	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1227	Remove alien from the United States	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Varies
38 C.F.R. 3.12	Forfeit veterans' pension/compensation/dependency and indemnity compensation	Government benefits	Retirement and pensions/Military, veterans and national defense	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
32 C.F.R. 903.2	Ineligible for admission to Air Force Academy Preparatory School	Education	Education and schools/Students and interns/Military, veterans and national defense	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
17 C.F.R. 230.506	Ineligible for limited securities sale/offer registration exemption (conviction of owner/officer/director/promoter/ issuer/predecessor and affiliate issuers)	Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Time-limited
17 C.F.R. 14.5	Ineligible to practice before the Commodity Futures Trading Commission	Occupational and professional licensure and certification	Banking, lending, securities and finance/Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Indefinite
12 C.F.R. 308.109	Suspend from practice before the Federal Deposit Insurance Corporation (FDIC)	Occupational and professional licensure and certification	Banking, lending, securities and finance/Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Time-limited
20 C.F.R. 404.1717	Ineligible for fee-withholding from awards of Social Security benefits (nonattorney representatives)	Judicial Rights/Civil fines, liability, forfeiture and property rights/Occupational and professional licensure and certification	Social Security, SSI, unemployment and disability benefits/Lawyers, judges and advocates	Any felony/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
48 C.F.R. 2152.209 -70	Ineligible for Federal Employees Group Life Insurance contract	Government contracting and program participation	Insurance sales and services	Any felony/Any misdemeanor/ Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Public corruption offenses	Mandatory/ Automatic	Time-limited
18 U.S.C.S. § 175b	Ineligible to transport/ship/possess biological agents/toxins	Employment and volunteering/Business licensure and participation/Occupational and professional licensure and certification	Transportation and commercial motor vehicles/ Hazardous materials, pesticides, chemicals and waste	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
15 U.S.C.S. § 78q-1	Limit association with transfer agent (securities)	Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Time-limited
17 C.F.R. 275.206 (4)-3	Ineligible to serve as solicitor for an investment adviser	Employment and volunteering/Business licensure and participation	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Varies

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
10 C.F.R. 55.53	Notify Nuclear Regulatory Commission of felony conviction by nuclear power operator	Employment and volunteering/Business licensure and participation/Occupational and professional licensure and certification	Mining, drilling, oil, fuel, energy and resource extraction/Nuclear energy and materials/ Hazardous materials, pesticides, chemicals and waste	Any felony	Mandatory/ Automatic	Indefinite
11 U.S.C.S. § 522	Ineligible to exempt property interest for enumerated property in bankruptcy proceedings	Judicial Rights/Civil fines, liability, forfeiture and property rights	Real estate and property/Civil litigation and administrative proceedings	Any felony/Crimes of violence, including 'person offenses'/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Varies
48 C.F.R. 31.205-4 7	Ineligible for payment of legal fees incurred pursuant to contract-related conviction (conviction of contractor/agents/employees) (Federal Acquisition Regulations System)	Employment and volunteering/Business licensure and participation/Civil fines, liability, forfeiture and property rights	Civil litigation and administrative proceedings	Any felony/Any misdemeanor/ Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
10 C.F.R. 712.13	Report conviction of Department of Energy Human Reliability Program covered employee	Employment and volunteering	Public employment/Min ing, drilling, oil, fuel, energy and resource extraction/Nuclear energy and materials/ Hazardous materials, pesticides, chemicals and waste	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
8 C.F.R. 214.3	Notify immigration authorities of nonimmigrant student conviction (F/M nonimmigrants)	Education/Immigration, naturalization and travel	Education and schools/Students and interns/ Immigration, naturalization and travel	Any felony/Any misdemeanor	Mandatory/ Automatic	Indefinite
15 U.S.C.S. § 78o-5	Suspend/revoke government securities broker/dealer registration	Business licensure and participation/Occupational and professional licensure and certification	Banking, lending, securities and finance	Any felony/Any misdemeanor/ Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Time-limited
10 U.S.C.S. § 12740	Deny retirement pay for nonregular military service	Government benefits/Civil fines, liability, forfeiture and property rights	Retirement and pensions/Military, veterans and national defense	Any felony/Any misdemeanor/ Crimes of violence, including 'person offenses'/Other/ Sex offenses	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
8 U.S.C.S. § 1439	Ineligible for naturalization through armed service	Immigration, naturalization and travel	Military, veterans and national defense/ Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude/Sex offenses	Mandatory/ Automatic	Indefinite
8 U.S.C.S. § 1229b	Ineligible for cancellation of removal (permanent resident convicted of aggravated felony within 7 years of admission)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Sex offenses	Mandatory/ Automatic	Varies
12 U.S.C.S. § 1708	Ineligible for approval to provide FHA-insured mortgage loans (convictions of key personnel for crimes involving fraud/related to fitness)	Government contracting and program participation/Employment and volunteering/Business licensure and participation	Real estate and property/Banking, lending, securities and finance/Housing benefits and programs	Any felony/Any misdemeanor/ Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Varies

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>	
8 U.S.C.S. § 1182	Ineligible for admission	immigration	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Other/ Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude/Sex offenses	Mandatory/ Automatic	Varies
33 C.F.R. 20.1307	Issue and claim preclusion in merchant marine qualification hearings	Judicial Rights/Occupational and professional licensure and certification	Civil litigation and administrative proceedings/ Maritime and sea vessels	Civil litigation and administrative proceedings/ Maritime and sea vessels	Any felony/Any misdemeanor/ Controlled substances offenses/Motor vehicle offenses/Other	Mandatory/ Automatic	Indefinite
49 C.F.R. 1542.209	Ineligible for unescorted access to airport security area	Employment and volunteering/Occupational and professional licensure and certification	Aviation and airports	Aviation and airports	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'/Other/ Crimes involving fraud, dishonesty, misrepresentation or money laundering/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
42 C.F.R. 417.412	Ineligible to serve as employee/owner of Health Maintenance Organization/Competitive Medical Plan	Government contracting and program participation/Employment and volunteering/Business licensure and participation	Health care/Insurance sales and services/Medicaid , Medicare and other public health benefits	Any felony/Other/ Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude	Mandatory/ Automatic	Indefinite
8 C.F.R. 208.13	Ineligible for asylum (application filed before April 1, 1997)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
49 C.F.R. 1544.229	Ineligible for employment as airport baggage/cargo handler	Employment and volunteering	Aviation and airports	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Time-limited
8 U.S.C.S. § 1367	Ineligible for statutory protection from adverse admissibility/deportability decision	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude/Sex offenses	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
8 C.F.R. 208.21	Ineligible for admission as spouse/child of asylee	Family and domestic rights/Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Indefinite
49 C.F.R. 1542.209	Ineligible to operate airport	Business licensure and participation	Transportation and commercial motor vehicles/Aviation and airports	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Other/ Crimes involving fraud, dishonesty, misrepresentation or money laundering/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Time-limited

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
8 C.F.R. 240.66	Ineligible for special rule cancellation of removal (Illegal Immigration Reform and Immigrant Responsibility Act)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Varies

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
8 C.F.R. 240.65	Ineligible for suspension of deportation (persons other than battered spouses and children/persons with criminal basis for removal)	Immigration, naturalization and travel	Immigration, naturalization and travel	Any felony/Any misdemeanor/ Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Crime of moral turpitude/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Indefinite
23 C.F.R. PART 1200 APPEND IX A	Ineligible for highway safety grant (convictions of participant/principals)	Government contracting and program participation/Government loans and grants/Employment and volunteering/Business licensure and participation	Transportation and commercial motor vehicles/Driving and noncommercial motor vehicles/ Government procurement contracts and programs	Any felony/Any misdemeanor/ Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering	Mandatory/ Automatic	Indefinite

<u>Citation</u>	<u>Title</u>	<u>Consequences</u>	<u>Keywords</u>	<u>Offense Type</u>	<u>Discretion</u>	<u>Duration</u>
49 C.F.R. 1542.209	Ineligible to use airport/operate aircraft	Employment and volunteering/Business licensure and participation/Occupational and professional licensure and certification	Transportation and commercial motor vehicles/Aviation and airports	Any felony/Controlled substances offenses/Crimes of violence, including 'person offenses'/Weapons offenses/Other/Crimes involving fraud, dishonesty, misrepresentation or money laundering/Sex offenses/Public corruption offenses	Mandatory/ Automatic	Time-limited

AFDC: Aid to Families with Dependent Children
 CFTC: Commodity Futures Trading Commission
 CPA: Certified Public Accountant
 ERISA: Employee Retirement Income Security Act
 FDIC: Federal Deposit Insurance Corporation
 FHA: Federal Housing Administration

HHS: Health and Human Services
 NASA: National Aeronautics and Space Administration
 PACE: Program of All-inclusive Care for the Elderly
 SBA: Small Business Administration
 SEC: Securities and Exchange Commission
 SSI: Supplemental Security Income
 TEACH: Teacher Education Assistance for College and Higher Education

Source: National Inventory of Collateral Consequences of Conviction