HOUSE BILL 1336

E2 (0lr2629)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by Delegates Barron, Acevero, Anderson, D. Barnes, Carr, Crutchfield, D.M. Davis, W. Fisher, Harrison, Haynes, J. Lewis, Lierman, Moon, Smith, Turner, Washington, and Wilkins Wilkins, and Conaway

	Examined by Proofreaders:	
		Proofreader.
		Proofreader.
Sealed with the Great Seal and	presented to the Governor	, for his approval this
day of	at	o'clock,M.
		Speaker.
	CHAPTER	
AN ACT concerning		
Criminal Procedure – Partial E and Expungem	xpungement <u>, <i>Maryland Ji</i> ent of Misdemeanor Conv</u> i	

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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2 3

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



	2	HOUSE BILL 1336
1		making this Act subject to a certain contingency; requiring the State Court
2		Administrator to report to certain committees of the General Assembly and the
3		Department of Legislative Services on or before a certain date; requiring the State
4		Court Administrator to issue a status report under certain circumstances with a
5		certain frequency; defining a certain term; and generally relating to expungement of
6		eriminal records authorizing a person to file a petition for expungement of certain
7		records if the person is convicted of fourth degree burglary; prohibiting the Maryland
8		Judiciary Case Search from in any way referring to the existence of certain records
9		relating to certain charges under certain circumstances; establishing the Partial
10		Expungement Workgroup; providing for the composition, chair, and staffing of the
11		Workgroup; prohibiting a member of the Workgroup from receiving certain
12		compensation, but authorizing the reimbursement of certain expenses; requiring the
13		Workgroup to study, develop a plan, and make recommendations regarding certain
14		matters; requiring the Workgroup to report its findings and recommendations to the
15		General Assembly on or before a certain date; providing for the termination of certain
16		provisions of this Act; providing for a delayed effective date for certain provisions of
17		this Act; and generally relating to expungement of criminal records and the Maryland
18		<u>Judiciary Case Search</u> .
19	BY r	epealing and reenacting, with amendments,
20		Article - Criminal Procedure
21		Section 10–105
22		Annotated Code of Maryland
23		(2018 Replacement Volume and 2019 Supplement)
94	рv и	onceling

24

- 25Article - Criminal Procedure
- Section 10-107 26
- 27 Annotated Code of Maryland
- (2018 Replacement Volume and 2019 Supplement) 28

29 BY adding to

- Article Criminal Procedure 30
- Section 10-105.1 31
- Annotated Code of Maryland 32
- 33 (2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments, 34

- Article Criminal Procedure 35
- 36 Section 10-110(a)(1)(ix)
- 37 <u>Annotated Code of Maryland</u>
- (2018 Replacement Volume and 2019 Supplement) 38

39 BY adding to

- Article Criminal Procedure 40
- Section 10-401 to be under the new subtitle "Subtitle 4. Maryland Judiciary Case" 41
- Search Records" 42

1 2	<u>Annotated Code of Maryland</u> (2018 Replacement Volume and 2019 Supplement)
3	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
5	Article - Criminal Procedure
6	10–105.
7 8 9 10	(a) A person who has been charged with the commission of a crime, including a violation of the Transportation Article for which a term of imprisonment may be imposed, or who has been charged with a civil offense or infraction, except a juvenile offense, may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if:
2	(1) the person is acquitted;
13	(2) the charge is otherwise dismissed;
14 15 16	(3) a probation before judgment is entered, unless the person is charged with a violation of § 21–902 of the Transportation Article or Title 2, Subtitle 5 or § 3–211 of the Criminal Law Article;
17 18	(4) a nolle prosequi or nolle prosequi with the requirement of drug or alcohol treatment is entered;
19 20 21	(5) the court indefinitely postpones trial of a criminal charge by marking the criminal charge "stet" or stet with the requirement of drug or alcohol abuse treatment on the docket;
22	(6) the case is compromised under § 3–207 of the Criminal Law Article;
23 24	(7) the charge was transferred to the juvenile court under § 4–202 of this article;
25	(8) the person:
26 27	(i) is convicted of only one criminal act, and that act is not a crime of violence; and
28	(ii) is granted a full and unconditional pardon by the Governor;
29 30	(9) the person was convicted of a crime or found not criminally responsible under any State or local law that prohibits:

urination or defecation in a public place;

31

(i)

1		(ii)	panhandling or soliciting money;
2		(iii)	drinking an alcoholic beverage in a public place;
3 4	public conveyance;	(iv)	obstructing the free passage of another in a public place or a
5		(v)	sleeping on or in park structures, such as benches or doorways;
6		(vi)	loitering;
7		(vii)	vagrancy;
8 9	exhibiting proof of		riding a transit vehicle without paying the applicable fare or ent; or
10 11 12	weapon, or other Article, any of the	(ix) dange acts sp	except for carrying or possessing an explosive, acid, concealed rous article as provided in § 7–705(b)(6) of the Transportation pecified in § 7–705 of the Transportation Article;
13 14	(10) local law that proh	the p ibits n	erson was found not criminally responsible under any State or nisdemeanor:
15		(i)	trespass;
16		(ii)	disturbing the peace; or
17		(iii)	telephone misuse;
18 19	(11) was based is no lor	-	erson was convicted of a crime and the act on which the conviction crime; or
20 21	the Criminal Law		erson was convicted of possession of marijuana under § 5–601 of .
22 23 24		ungen	ttorney or personal representative may file a petition, on behalf of ent under this section if the person died before disposition of the or dismissal.
25 26	(b) (1) shall file a petition		ot as provided in paragraphs (2) and (3) of this subsection, a person court in which the proceeding began.
27 28	(2) proceeding began i	(i) n one	Except as provided in subparagraph (ii) of this paragraph, if the court and was transferred to another court, the person shall file

1	(ii) If the proceeding began in one court and was transferred to the	10
2	juvenile court under § 4-202 or § 4-202.2 of this article, the person shall file the petition is	in
3	the court of original jurisdiction from which the order of transfer was entered.	
4	(3) (i) If the proceeding in a court of original jurisdiction was appealed	ed
5	to a court exercising appellate jurisdiction, the person shall file the petition in the appellate	te
6	court.	
7	(ii) The appellate court may remand the matter to the court	of
8	original jurisdiction.	
9	(e) (1) Except as provided in paragraph (2) of this subsection, a petition for	or
10	expungement based on an acquittal, a nolle prosequi, or a dismissal may not be filed within	
11	3 years after the disposition, unless the petitioner files with the petition a written general	
12	waiver and release of all the petitioner's tort claims arising from the charge.	
13	(2) A petition for expungement based on a probation before judgment or	-a
14	stet with the requirement of drug or alcohol abuse treatment may not be filed earlier tha	in
15	the later of:	
16	(i) the date the petitioner was discharged from probation or the	1e
17	requirements of obtaining drug or alcohol abuse treatment were completed; or	
18	(ii) 3 years after the probation was granted or stet with the	10
19	requirement of drug or alcohol abuse treatment was entered on the docket.	
20	(3) A petition for expungement based on a nolle prosequi with the	10
21	requirement of drug or alcohol treatment may not be filed until the completion of the	10
22	required treatment.	
23	(4) A petition for expungement based on a full and unconditional pards	
24	by the Governor may not be filed later than 10 years after the pardon was signed by the	10
25	Governor.	
26	(5) Except as provided in paragraph (2) of this subsection, a petition for	or
27	expungement based on a stet or a compromise under § 3-207 of the Criminal Law Artic	le
28	may not be filed within 3 years after the stet or compromise.	
29	(6) A petition for expungement based on the conviction of a crime unde	
30	subsection (a)(9) of this section may not be filed within 3 years after the conviction	
31	satisfactory completion of the sentence, including probation, that was imposed for the	10

(7) A petition for expungement based on a finding of not criminally responsible under subsection (a)(9) or (10) of this section may not be filed within 3 years after the finding of not criminally responsible was made by the court.

conviction, whichever is later.

CRIMINAL JUSTICE PURPOSES.

1	(8) A petition for expungement based on the conviction of a crime under
2	subsection (a)(12) of this section may not be filed within 4 years after the conviction or
3	satisfactory completion of the sentence, including probation, that was imposed for the
4	conviction, whichever is later.
5	(9) A court may grant a petition for expungement at any time on a showing
6	of good cause.
7	(d) (1) WHEN TWO OR MORE CHARGES ARISE FROM THE SAME INCIDENT,
8	TRANSACTION, OR SET OF FACTS, AND ONE OR MORE OF THE CHARGES ARE NOT
9	ELIGIBLE FOR EXPUNGEMENT UNDER THIS SECTION, A PERSON MAY FILE A
10	PETITION FOR PARTIAL EXPUNGEMENT FOR THE CHARGES ELIGIBLE FOR
11	EXPUNCEMENT UNDER THIS SECTION.
12	(2) IF THE PARTIAL EXPUNGEMENT OF A POLICE RECORD, COURT
13	RECORD, OR OTHER RECORD MAINTAINED BY THE STATE OR A POLITICAL
14	SUBDIVISION OF THE STATE IS IMPRACTICABLE DUE TO THE NARRATIVE OF THE
15	STATEMENT OF CHARGES THAT INCLUDES BOTH THE CHARGES THAT ARE ELIGIBLE
16	FOR EXPUNGEMENT AND THE CHARGES THAT ARE NOT ELIGIBLE FOR
17	EXPUNCEMENT, THE COURT:
18	(I) SHALL ORDER THAT THE OFFICIAL RECORD OF THE COURT
19	REGARDING THE CHARGES ELIGIBLE FOR PARTIAL EXPUNGEMENT MAY NOT BE
20	INCLUDED:
21	1. ON THE PUBLIC WEBSITE MAINTAINED BY THE
22	MARYLAND JUDICIARY; AND
23	2. WITHIN RECORDS SUBMITTED TO THE CENTRAL
24	REPOSITORY; AND
	()
25	(H) MAY AUTHORIZE THE STATE OR POLITICAL SUBDIVISION OF
26	THE STATE TO:
0 .	1
27	1. MAINTAIN THE WRITTEN RECORD WITHOUT CHANGE,
28	AND
00	O I IMIM INCORPONION OF MITE WINDINGS PROCESS TO A
29	2. LIMIT INSPECTION OF THE WRITTEN RECORD TO A
30	CRIMINAL JUSTICE UNIT, AS DEFINED IN § 10-201 OF THIS TITLE, FOR LEGITIMATE

32 (E) (1) The court shall have a copy of a petition for expungement served on the 33 State's Attorney.

1	(2) Unless the State's Attorney files an objection to the petition for
$\frac{1}{2}$	expungement within 30 days after the petition is served, the court shall pass an order
3	requiring the expungement of all police records and court records about the charge.
J	104
4	(e) (F) (1) If the State's Attorney files a timely objection to the petition, the
5	court shall hold a hearing.
6	(2) If the court at the hearing finds that the person is entitled to
7	expungement, the court shall order the expungement of all police records and court records
8	about the charge.
9	(3) If the court finds that the person is not entitled to expungement, the
10	court shall deny the petition.
11	(4) The person is not entitled to expungement if:
12	(i) the petition is based on the entry of probation before judgment,
13	except a probation before judgment for a crime where the act on which the conviction is
14	based is no longer a crime, and the person within 3 years of the entry of the probation before
15	judgment has been convicted of a crime other than a minor traffic violation or a crime where
16	the act on which the conviction is based is no longer a crime; or
17	(ii) the person is a defendant in a pending criminal proceeding.
18	[(f)] (G) Unless an order is stayed pending an appeal, within 60 days after entry
19	of the order, every custodian of the police records and court records that are subject to the
20	order of expungement shall advise in writing the court and the person who is seeking
21	expungement of compliance with the order.
22	(g) (H) (1) The State's Attorney is a party to the proceeding.
	(g) (ii) (i) The state streeting is a party to the proceeding.
23	(2) A party aggrieved by the decision of the court is entitled to appellate
24	review as provided in the Courts Article.
	r
25	[10-107.
26	(a) (1) In this subtitle, if two or more charges, other than one for a minor traffic
27	violation, arise from the same incident, transaction, or set of facts, they are considered to
28	be a unit.
4 0	oo a amo
29	(2) A charge for a minor traffic violation that arises from the same incident,
30	transaction, or set of facts as a charge in the unit is not a part of the unit.
JU	transaction, or set or facts as a charge in the utilt is not a part or the unit.
31	(b) (1) If a person is not entitled to expungement of one charge or conviction in
$\frac{31}{32}$	a unit, the person is not entitled to expungement of any other charge or conviction in the
UΔ	a anni, the person to not entitled to expangement of any other charge of conviction in the

unit.

1	(2) The disposition of a charge for a minor traffic violation that arises from
$\overline{2}$	the same incident, transaction, or set of facts as a charge in the unit does not affect any
3	right to expungement of a charge or conviction in the unit.]
4 5	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.
6	10–105.1.
7	(A) IN THIS SECTION, "PARTIAL EXPUNGEMENT" MEANS THE REMOVAL OF
8	AN INDIVIDUAL CRIMINAL CHARGE FROM THE MARYLAND JUDICIARY CASE
9	SEARCH WEBSITE.
10	(B) WHEN TWO OR MORE CHARGES ARISE FROM THE SAME INCIDENT,
11	TRANSACTION, OR SET OF FACTS, AND ONE OR MORE OF THE CHARGES ARE NOT
12	ELIGIBLE FOR EXPUNGEMENT UNDER § 10-105 OF THIS SUBTITLE, A PERSON MAY
13	FILE A PETITION UNDER THIS SECTION FOR PARTIAL EXPUNGEMENT OF THE OTHER
14	CHARGE OR CHARGES IN THE UNIT THAT OTHERWISE WOULD BE ELIGIBLE FOR
15	EXPUNCEMENT.
16	(c) (1) Except as provided in paragraphs (2) and (3) of this
17	SUBSECTION, A PERSON SHALL FILE A PETITION IN THE COURT IN WHICH THE
18	PROCEEDING BEGAN.
19	(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
20	PARAGRAPH, IF THE PROCEEDING BEGAN IN ONE COURT AND WAS TRANSFERRED
21	TO ANOTHER COURT, THE PERSON SHALL FILE THE PETITION IN THE COURT TO
22	WHICH THE PROCEEDING WAS TRANSFERRED.

- 23 <u>(H) IF THE PROCEEDING BEGAN IN ONE COURT AND WAS</u>
 24 TRANSFERRED TO THE JUVENILE COURT UNDER § 4-202 OR § 4-202.2 OF THIS
 25 ARTICLE, THE PERSON SHALL FILE THE PETITION IN THE COURT OF ORIGINAL
 26 JURISDICTION FROM WHICH THE ORDER OF TRANSFER WAS ENTERED.
- 27 (3) (1) IF THE PROCEEDING IN A COURT OF ORIGINAL
 28 JURISDICTION WAS APPEALED TO A COURT EXERCISING APPELLATE JURISDICTION,
 29 THE PERSON SHALL FILE THE PETITION IN THE APPELLATE COURT.
- 30 (II) THE APPELLATE COURT MAY REMAND THE MATTER TO THE 31 COURT OF ORIGINAL JURISDICTION.

1	(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
2	PETITION FOR PARTIAL EXPUNGEMENT BASED ON AN ACQUITTAL, A NOLLE
3	PROSEQUI, OR A DISMISSAL MAY BE FILED IMMEDIATELY.
4	(2) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON A PROBATION
5	BEFORE JUDGMENT OR A STET WITH THE REQUIREMENT OF DRUG OR ALCOHOL
6	ABUSE TREATMENT MAY NOT BE FILED EARLIER THAN THE LATER OF:
7	(I) THE DATE THE PETITIONER WAS DISCHARGED FROM
8	PROBATION OR THE REQUIREMENTS OF OBTAINING DRUG OR ALCOHOL ABUSE
9	TREATMENT WERE COMPLETED; OR
J	THE TIME TO WELL COMPLETED, OR
10	(II) 3 YEARS AFTER THE PROBATION WAS GRANTED OR STET
11	WITH THE REQUIREMENT OF DRUG OR ALCOHOL ABUSE TREATMENT WAS ENTERED
12	ON THE DOCKET.
13	(3) A PETITION FOR PARTIAL EXPUNCEMENT BASED ON A NOLLE
14	PROSEQUI WITH THE REQUIREMENT OF DRUG OR ALCOHOL TREATMENT MAY NOT
15	BE FILED UNTIL THE COMPLETION OF THE REQUIRED TREATMENT.
16	(4) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON A FULL AND
17	UNCONDITIONAL PARDON BY THE GOVERNOR MAY NOT BE FILED LATER THAN 10
18	YEARS AFTER THE PARDON WAS SIGNED BY THE GOVERNOR.
10	(F) Everent as providing by part and py (9) or my as apparent of a
19	(5) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
20	PETITION FOR PARTIAL EXPUNGEMENT BASED ON A STET OR A COMPROMISE UNDER
21	§ 3–207 OF THE CRIMINAL LAW ARTICLE MAY NOT BE FILED WITHIN 3 YEARS AFTER
22	THE STET OR COMPROMISE.
23	(6) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON THE
24	CONVICTION OF A CRIME UNDER § 10–105(A)(9) OF THIS SUBTITLE MAY NOT BE
25	FILED WITHIN 3 YEARS AFTER THE CONVICTION OR SATISFACTORY COMPLETION OF
26	THE SENTENCE, INCLUDING PROBATION, THAT WAS IMPOSED FOR THE CONVICTION,
27	WHICHEVER IS LATER.
28	(7) A PETITION FOR PARTIAL EXPUNCEMENT BASED ON A FINDING OF
29	NOT CRIMINALLY RESPONSIBLE UNDER § 10-105(A)(9) OR (10) OF THIS SUBTITLE
30	MAY NOT BE FILED WITHIN 3 YEARS AFTER THE FINDING OF NOT CRIMINALLY
31	RESPONSIBLE WAS MADE BY THE COURT.
32	(8) A PETITION FOR PARTIAL EXPUNGEMENT BASED ON THE

FILED WITHIN 4 YEARS AFTER THE CONVICTION OR SATISFACTORY COMPLETION OF

33 34

1	THE SENTENCE, INCLUDING PROBATION, THAT WAS IMPOSED FOR THE CONVICTION,
$\frac{1}{2}$	WHICHEVER IS LATER.
_	WITCHE VERY TO MATERIA
3	(9) A COURT MAY GRANT A PETITION FOR PARTIAL EXPUNGEMENT AT
4	ANY TIME ON A SHOWING OF GOOD CAUSE.
-1	THE OWN SHOWING OF GOOD CHOSE.
5	(E) (1) THE COURT SHALL HAVE A COPY OF A PETITION FOR PARTIAL
6	EXPUNGEMENT SERVED ON THE STATE'S ATTORNEY.
Ü	MI CHARLETT SHATE ON THE SHIFT STRITTONISH.
7	(2) Unless the State's Attorney files an objection to the
8	PETITION FOR PARTIAL EXPUNGEMENT WITHIN 30 DAYS AFTER THE PETITION IS
9	SERVED, THE COURT SHALL PASS AN ORDER REQUIRING THE PARTIAL
10	EXPUNCEMENT OF THE CHARGE OR CHARGES.
10	EXI CIVILLETT OF THE CHINGE ON CHINGES.
11	(F) (1) IF THE STATE'S ATTORNEY FILES A TIMELY OBJECTION TO THE
12	PETITION, THE COURT SHALL HOLD A HEARING.
14	TEITHON, THE COCKT SHIELD HOLD IT HEALTHON.
13	(2) If the court at the hearing finds that the person is
14	ENTITLED TO PARTIAL EXPUNCEMENT, THE COURT SHALL ORDER THE PARTIAL
15	EXPUNCEMENT OF THE CHARGE OR CHARGES.
10	EXI ONGENIENT OF THE CHANGE ON CHANGES.
16	(3) If the court finds that the person is not entitled to
17	PARTIAL EXPUNGEMENT. THE COURT SHALL DENY THE PETITION.
11	THE TEXT CHOLINENT, THE COURT SHILL BENT THE TEITHON.
18	(4) THE PERSON IS NOT ENTITLED TO PARTIAL EXPUNCEMENT IF:
10	(2)
19	(I) THE PETITION IS BASED ON THE ENTRY OF PROBATION
20	BEFORE JUDGMENT. EXCEPT A PROBATION BEFORE JUDGMENT FOR A CRIME
$\frac{1}{21}$	WHERE THE ACT ON WHICH THE CONVICTION IS BASED IS NO LONGER A CRIME, AND
22	THE PERSON WITHIN 3 YEARS OF THE ENTRY OF THE PROBATION BEFORE
23	JUDGMENT HAS BEEN CONVICTED OF A CRIME OTHER THAN A MINOR TRAFFIC
24	VIOLATION OR A CRIME WHERE THE ACT ON WHICH THE CONVICTION IS BASED IS NO
25	LONGER A CRIME: OR
20	BOWGER WEIGHT
26	(II) THE PERSON IS A DEFENDANT IN A PENDING CRIMINAL
27	PROCEEDING.
41	1 NO CHEDITOR
28	(G) (1) THE STATE'S ATTORNEY IS A PARTY TO THE PROCEEDING.
20	(d) (1) INESTRIESTRIONNEL IS ATTACHED TO THE I ROCKEDING.
29	(2) A PARTY AGGRIEVED BY THE DECISION OF THE COURT IS
30	ENTITLED TO APPELLATE REVIEW AS PROVIDED IN THE COURTS ARTICLE.
50	ENTITED TO MET DELETE WE VIEW IN TWO VIDED IN THE COUNTY THE FORES
31	10–110.

1	(a) A person may file a petition listing relevant facts for expungement of a police
2	record, court record, or other record maintained by the State or a political subdivision of
3	the State if the person is convicted of:
4	(1) <u>a misdemeanor that is a violation of:</u>
5	(ix) § 6–105, § 6–108, § 6–205 (FOURTH DEGREE BURGLARY), §
6	6–206, § 6–303, § 6–306, § 6–307, § 6–402, or § 6–503 of the Criminal Law Article;
7	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
8	as follows:
Ü	ue javoure.
9	(a) Section 1 of this Act is contingent on a determination by the State Court
10	Administrator that the technical capabilities of the Judicial Information System and Case
11	Search 2.0 are sufficient to comply with the requirements of Section 1 of this Act and
12	funding for the required technical improvements is available in the State budget.
13	(b) The State Court Administrator shall notify the Department of Legislative
14	Services and, in accordance with § 2–1257 of the State Government Article, the Senate
15	Judicial Proceedings Committee and the House Judiciary Committee within 5 days after
16	the State Court Administrator makes a determination that the contingencies under
17	subsection (a) of this section have been satisfied
11	subsection (a) or time section have seen satisfied.
18	(c) <u>If notification under subsection (b) of this section is not made by October 1,</u>
19	2022, the State Court Administrator shall issue a status report on October 1 and every 6
20	months thereafter until the contingencies under subsection (a) of this section have been
21	satisfied.
22	SUBTITLE 4. MARYLAND JUDICIARY CASE SEARCH RECORDS.
23	<u>10–401.</u>
0.4	THE MARYLAND JUDICIARY CASE SEARCH MAY NOT IN ANY WAY REFER TO
24	
25	THE EXISTENCE OF RECORDS OF A CHARGE IN A CASE WITH ELECTRONIC RECORDS
26	<u>IF THE CHARGE RESULTED IN:</u>
27	(1) ACQUITTAL;
41	(1) ACQUITIAL,
28	(2) DISMISSAL; OR
	<u> </u>
29	(3) NOLLE PROSEQUI, EXCEPT NOLLE PROSEQUI WITH THE
30	REQUIREMENT OF DRUG OR ALCOHOL TREATMENT.
01	CECTION S AND DE IT EUDTUED ENACTED TO
31	SECTION 3. AND BE IT FURTHER ENACTED, That:
32	(a) There is a Partial Expungement Workgroup.

1	<u>(b)</u>	The Workgroup consists of the following members:
2 3	the Senate;	(1) two members of the Senate of Maryland, appointed by the President of
$\frac{4}{5}$	<u>House;</u>	(2) two members of the House of Delegates, appointed by the Speaker of the
6		(3) the Public Defender, or the Public Defender's designee;
7		(4) one representative of the Administrative Office of the Courts; and
8 9	<u>President's c</u>	(5) the President of the Maryland State's Attorneys' Association, or the designee.
10	<u>(c)</u>	The Workgroup shall designate the chair of the Workgroup.
11 12	(<u>d)</u> provide staf	The Governor's Office of Crime Prevention, Youth, and Victim Services shall for the Workgroup.
13	<u>(e)</u>	A member of the Workgroup:
14		(1) may not receive compensation as a member of the Workgroup; but
15 16	<u>Travel Regu</u>	(2) is entitled to reimbursement for expenses under the Standard State lations, as provided in the State budget.
17 18 19 20		The Workgroup shall study and develop a plan and legislative ations for enabling the expungement of criminal charges that are currently not expungement because of the requirements of § 10–107 of the Criminal Procedure
21 22 23		On or before January 5, 2021, the Workgroup shall report its plan and ecommendations to the General Assembly, in accordance with § 2–1257 of the ament Article.
24 25	<u>SECT</u> effect Janua	TION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take ry 1, 2021.
26 27	<u>SECT</u> effect Octobe	TION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take or 1, 2020.
28 29 30	Sections 4 a	TION 3. 6. AND BE IT FURTHER ENACTED, That, subject to Section 2 and 5 of this Act, this Act shall take effect October June 1, 2020. Section 3 of this main effective for a period of 1 year and 1 month and, at the end of June 30,

2021, Section 3 of this Act, with no further be abrogated and of no further force and eff	<u>fect.</u>
A 1	
Approved:	
	Governor.
	Speaker of the House of Delegates.
	President of the Senate.