

HB0836/452017/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 836

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “after the person was convicted of a certain crime” and substitute “; providing for the effective date of this Act”; in line 10, strike “10-105” and substitute “10-110(a) and (c)”; and after line 12, insert “(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)”.

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 16 on page 1 through line 21 on page 5, inclusive, and substitute:

“10–110.

(a) A person 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 the person is convicted of a misdemeanor that is a violation of:

(1) § 6–320 of the Alcoholic Beverages Article;

(2) an offense listed in § 17–613(a) of the Business Occupations and Professions Article;

(3) § 5–712, § 19–304, § 19–308, or Title 5, Subtitle 6 or Subtitle 9 of the Business Regulation Article;

(4) § 3–1508 or § 10–402 of the Courts Article;

(5) § 14–1915, § 14–2902, or § 14–2903 of the Commercial Law Article;

(6) § 5–211 of the Criminal Procedure Article;

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- (7) § 3-203 or § 3-808 of the Criminal Law Article;
- (8) § 5-601, § 5-618, § 5-619, § 5-620, § 5-703, § 5-708, or § 5-902 of the Criminal Law Article;
- (9) § 6-105, § 6-108, § 6-206, § 6-303, § 6-306, § 6-307, § 6-402, or § 6-503 of the Criminal Law Article;
- (10) § 7-104, § 7-203, § 7-205, § 7-304, § 7-308, or § 7-309 of the Criminal Law Article;
- (11) § 8-103, § 8-206, § 8-401, § 8-402, § 8-404, § 8-406, § 8-408, § 8-503, § 8-521, § 8-523, or § 8-904 of the Criminal Law Article;
- (12) § 9-204, § 9-205, § 9-503, or § 9-506 of the Criminal Law Article;
- (13) § 10-110, § 10-201, § 10-402, § 10-404, or § 10-502 of the Criminal Law Article;
- (14) § 11-306(a) of the Criminal Law Article;
- (15) § 12-102, § 12-103, § 12-104, § 12-105, § 12-109, § 12-203, § 12-204, § 12-205, or § 12-302 of the Criminal Law Article;
- (16) § 13-401, § 13-602, or § 16-201 of the Election Law Article;
- (17) § 4-509 of the Family Law Article;
- (18) § 18-215 of the Health – General Article;
- (19) § 4-411 or § 4-2005 of the Human Services Article;
- (20) § 27-403, § 27-404, § 27-405, § 27-406, § 27-406.1, § 27-407, § 27-407.1, or § 27-407.2 of the Insurance Article;
- (21) § 5-307, § 5-308, § 6-602, § 7-402, or § 14-114 of the Public Safety Article;

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(22) § 7–318.1, § 7–509, or § 10–507 of the Real Property Article;

(23) § 9–124 of the State Government Article;

(24) § 13–1001, § 13–1004, § 13–1007, or § 13–1024 of the Tax – General Article;

(25) the common law offenses of affray, rioting, criminal contempt, BATTERY, or hindering; or

(26) an attempt, a conspiracy, or a solicitation of any offense listed in items (1) through (25) of this subsection.

(c) (1) Except as provided in paragraph (2) of this subsection, a petition for expungement under this section may not be filed earlier than 10 years after the person satisfies the sentence or sentences imposed for all convictions for which expungement is requested, including parole, probation, or mandatory supervision.

(2) A petition for expungement for a violation of § 3–203 of the Criminal Law Article, COMMON LAW BATTERY, or for an offense classified as a domestically related crime under § 6–233 of the Criminal Procedure Article may not be filed earlier than 15 years after the person satisfies the sentence or sentences imposed for all convictions for which expungement is requested, including parole, probation, or mandatory supervision.”.

On page 5, in line 23, after “2017” insert “, the effective date of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016. If the effective date of Section 2 of Chapter 515 is amended, this Act shall take effect on the taking effect of Section 2 of Chapter 515”.