By: **Chairman, Judiciary Committee (Maryland Judicial Conference)**
Introduced and read first time: February 4, 2000
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Police and Criminal Records - Expungement of Records - Nolle Prosequi**
3 **Before Service**

4 FOR the purpose of authorizing the court to order expungement of certain records
5   relating to certain criminal charges if the State enters a nolle prosequi as to all
6   charges on a District Court charging document that has not been served on a
7   defendant, unless the State objects and shows cause why a record should not be
8   expunged; prohibiting a court from assessing costs against a defendant for
9   certain proceedings; and generally relating to the expungement of records under
10   certain circumstances.

11 BY adding to
12   Article 27 - Crimes and Punishments
13   Section 736A
14   Annotated Code of Maryland
15   (1996 Replacement Volume and 1999 Supplement)

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

18   **Article 27 - Crimes and Punishments**

19 736A.

20   (A)   UNLESS THE STATE OBJECTS AND SHOWS CAUSE WHY A RECORD SHOULD
21 NOT BE EXPUNGED, IF THE STATE ENTERS A NOLLE PROSEQUI AS TO ALL CHARGES
22 ON A DISTRICT COURT CRIMINAL CHARGING DOCUMENT THAT HAS NOT BEEN
23 SERVED ON A DEFENDANT, THE COURT MAY ORDER EXPUNGEMENT OF ANY COURT
24 RECORD, POLICE RECORD, OR ANY OTHER RECORD THAT THE STATE OR A POLITICAL
25 SUBDIVISION OF THE STATE KEEPS AS TO THE CHARGES.

26   (B)   A COURT MAY NOT ASSESS ANY COSTS AGAINST A DEFENDANT FOR A
27 PROCEEDING UNDER SUBSECTION (A) OF THIS SECTION.

1   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2000.