

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

House Bill 1331 (Delegate Paige. *et al.*)

Judiciary

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Police and Court Records - Misidentification - Expungement

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This bill authorizes a person to petition for the expungement of State records if the person was misidentified because a defendant used the person's name as an alias. The bill authorizes such a petition to be filed immediately after discovery of the misidentification.

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Fiscal Summary

**State Effect:** Minimal. The requirements of this bill could be accommodated with the existing budgeted resources of the Judiciary or other affected State agencies.

**Local Effect:** Minimal. The requirements of this bill could be accommodated with the existing budgeted resources of the circuit courts or Offices of State's Attorneys.

**Small Business Effect:** None.

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Analysis

**Current Law:** There are eight circumstances under which a person may petition for expungement, including if the person is acquitted or if the person is convicted of only one non-violent crime and is granted a pardon by the Governor. The time frames for filing petitions vary by circumstance. A State's Attorney is allowed to file an objection to such a petition, and is also allowed to later access such records by petition, under specified circumstances, or by an *ex parte* order.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (The District Court), Office of State's Attorneys' Coordinator, Montgomery County, Prince George's County, Washington County, Department of Legislative Services

**Fiscal Note History:** First Reader - March 16, 2000  
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