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By: **Delegate Arnick**

Introduced and read first time: January 24, 2003

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Records - Expungement after Pardon - Time of Filing**

3 FOR the purpose of repealing the waiting period before certain persons may file a  
4 petition for expungement of certain criminal records that is based on a full and  
5 unconditional pardon by the Governor; and generally relating to expungement of  
6 criminal records.

7 BY repealing and reenacting, without amendments,  
8 Article - Criminal Procedure  
9 Section 10-105(a)(8)  
10 Annotated Code of Maryland  
11 (2001 Volume and 2002 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Criminal Procedure  
14 Section 10-105(c)(3)  
15 Annotated Code of Maryland  
16 (2001 Volume and 2002 Supplement)

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

19 **Article - Criminal Procedure**

20 10-105.

21 (a) A person who has been charged with the commission of a crime, including  
22 a violation of the Transportation Article for which a term of imprisonment may be  
23 imposed, may file a petition listing relevant facts for expungement of a police record,  
24 court record, or other record maintained by the State or a political subdivision of the  
25 State if:

26 (8) the person:

1 (i) is convicted of only one criminal act, and that act is not a crime  
2 of violence; and

3 (ii) is granted a full and unconditional pardon by the Governor.

4 (c) (3) A petition for expungement based on a full and unconditional pardon  
5 by the Governor may not be filed [earlier than 5 years or] later than 10 years after  
6 the pardon was signed by the Governor.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2003.