

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 142

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Delegates” insert “Carter.”; and in the same line, strike “and Sophocleus” and substitute “Sophocleus, Benson, Branch, Dumais, Griffith, Gutierrez, Haynes, Howard, Jones, Kaiser, Kirk, Krysiak, Marriott, Nathan-Pulliam, Oaks, Paige, Patterson, Petzold, Proctor, Ramirez, Rosenberg, F. Turner, V. Turner, and Vaughn”.

AMENDMENT NO. 2

On page 1, in line 3, strike “repealing” and substitute “modifying”; in line 5, after “proceeding;” insert “providing that a person is not entitled to expungement if the petition is based on the entry of probation before judgment, a nolle prosequi, or a stet, or the grant of a pardon by the Governor for a certain charge involving child abuse or sexual abuse of a minor and, since the full or unconditional pardon or entry, the person has been convicted of a certain charge involving child abuse or sexual abuse of a minor; providing that a person is not entitled to expungement if the petition is based on the entry of probation before judgment, a nolle prosequi, or a stet, or the grant of a pardon by the Governor for a certain crime of violence and, since the full or unconditional pardon or entry, the person has been convicted of a certain crime of violence; providing that a person is not entitled to expungement if the petition is based on the entry of probation before judgment, a nolle prosequi, or a stet, or the grant of a pardon by the Governor, and the person is a defendant in a certain proceeding;”.

AMENDMENT NO. 3

On page 1, in line 23, strike the bracket; in line 25, after “Governor” insert “FOR A CHARGE OF CHILD ABUSE UNDER § 3-601 OF THE CRIMINAL LAW ARTICLE OR SEXUAL ABUSE OF A MINOR UNDER § 3-602 OF THE CRIMINAL LAW ARTICLE AND, SINCE THE FULL OR UNCONDITIONAL PARDON OR ENTRY, THE PERSON HAS BEEN CONVICTED OF CHILD ABUSE UNDER § 3-601 OF THE CRIMINAL LAW ARTICLE OR SEXUAL ABUSE OF A MINOR UNDER § 3-602 OF THE CRIMINAL LAW ARTICLE”; in the

(Over)

same line, strike “and”; and strike line 26 in its entirety.

AMENDMENT NO. 4

On page 2, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(II) THE PETITION IS BASED ON THE ENTRY OF PROBATION BEFORE JUDGMENT, A NOLLE PROSEQUI, OR A STET, OR THE GRANT OF A PARDON BY THE GOVERNOR FOR A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE AND, SINCE THE FULL OR UNCONDITIONAL PARDON OR ENTRY, THE PERSON HAS BEEN CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE; OR

(III) THE PETITION IS BASED ON THE ENTRY OF PROBATION BEFORE JUDGMENT, A NOLLE PROSEQUI, OR A STET, OR THE GRANT OF A PARDON BY THE GOVERNOR, AND THE PERSON IS A DEFENDANT IN A PENDING CRIMINAL PROCEEDING.”.