

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 685
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “time;” insert “providing that a person is not entitled to an expungement under certain circumstances; clarifying that a person who is not entitled to an expungement for a certain conviction is not entitled to an expungement of any other conviction;”; and in line 17, after “10–105(a)” insert “and (e)(4) and 10–107(b)”.

AMENDMENT NO. 2

On page 3, strike line 9 in its entirety; in lines 10, 12, 13, and 14, strike “(VI)”, “(VII)”, “(VIII)”, and “(IX)”, respectively, and substitute “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively; and after line 21, insert:

“(e) (4) The person is not entitled to expungement if:

(i) the petition is based on the entry of probation before judgment, a nolle prosequi, [or] a stet, including a nolle prosequi with the requirement of drug or alcohol treatment or a stet with the requirement of drug or alcohol abuse treatment, A CONVICTION FOR A CRIME SPECIFIED IN SUBSECTION (A)(9) OF THIS SECTION, or the grant of a pardon by the Governor; and

(ii) the person:

1. since the full and unconditional pardon [or], entry, OR CONVICTION has been convicted of a crime other than a minor traffic violation; or

2. is a defendant in a pending criminal proceeding.

(Over)

10-107.

(b) (1) If a person is not entitled to expungement of one charge OR CONVICTION in a unit, the person is not entitled to expungement of any other charge OR CONVICTION in the unit.

(2) The disposition of a charge for a minor traffic violation that arises from the same incident, transaction, or set of facts as a charge in the unit does not affect any right to expungement of a charge OR CONVICTION in the unit.”.