

HB1227/272010/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1227
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Police Records” and substitute “Criminal Charge Transferred to Juvenile Court”; strike beginning with “requiring” in line 3 down through “records” in line 22 and substitute “altering provisions relating to the expungement of certain criminal records to require a court to grant a petition for expungement of a criminal charge transferred to the juvenile court; repealing provisions limiting the circumstances under which a person may file, and a court is required or authorized to grant, a petition for expungement of a criminal charge transferred to the juvenile court; and generally relating to the expungement of criminal charges transferred to the juvenile court”; and in line 25, strike “10-101, 10-105, and”.

On pages 1 and 2, strike in their entirety the lines beginning with line 28 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 11, strike in their entirety the lines beginning with line 8 on page 2 through line 15 on page 11, inclusive, and substitute:

“10–106.

(a) In this section, “delinquency petition” means a petition filed under § 3–8A–10 of the Courts Article alleging that a child is a delinquent child.

(b) A person may file, AND A COURT SHALL GRANT, a petition for expungement of a criminal charge transferred to the juvenile court under § 4–202 of this article[:

(Over)

(1) after the date of the decision not to file a delinquency petition; or

(2) after the decision on the delinquency petition of facts–not–sustained.

(c) The court may grant a petition for expungement to a person when the person becomes 21 years old, if a charge transferred under § 4–202 of this article resulted in the adjudication of the person as a delinquent child.

(d) A court shall grant a petition for expungement of a criminal charge that was transferred to the juvenile court under § 4–202 of this article, if:

(1) the charge that was transferred under § 4–202 of this article did not result in the filing of a delinquency petition; or

(2) the decision on the delinquency petition was that there was a finding of facts–not–sustained].”.