

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1279

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Retention of Right to Expungement –”; in line 3, after “Conviction” insert “– Shielding”; strike beginning with “establishing” in line 4 down through “changes;” in line 8 and substitute “authorizing a person who was convicted of one or more charges in a certain unit to file a petition to shield certain information; specifying that a certain petition shall be filed with the Administrative Office of the Courts; specifying that a petition to shield information relating to a certain charge may not be filed until the expiration of a certain amount of time; requiring the Administrative Office of the Courts to shield certain information within a certain time period under certain circumstances; authorizing the Administrative Office of the Courts to assess a certain fee for a certain petition for a certain purpose; defining a certain term;”; in line 8, strike “a”; in the same line, strike “correction” and substitute “corrections”; and in line 9, after “expungement” insert “and shielding”.

AMENDMENT NO. 2

On page 1, strike beginning with the second comma in line 19 down through “violation,” in line 20.

On page 2, in lines 2, 3, and 5, in each instance, strike the brackets; in line 5, strike “A CONVICTION”; and strike in their entirety lines 9 through 11, inclusive, and substitute:

“(C) (1) IN THIS SUBSECTION, “SHIELD” MEANS TO REMOVE INFORMATION FROM A PUBLIC WEB SITE AND PUBLIC COMPUTER TERMINALS MAINTAINED BY THE MARYLAND JUDICIARY.

(Over)

(2) A PERSON WHO WAS CONVICTED OF ONE OR MORE CHARGES IN A UNIT MAY FILE A PETITION TO SHIELD INFORMATION REGARDING OTHER CHARGES IN THE UNIT THAT WERE DISPOSED OF BY ACQUITTAL, DISMISSAL, NOLLE PROSEQUI, OR STET.

(3) A PETITION SHALL BE FILED WITH THE ADMINISTRATIVE OFFICE OF THE COURTS.

(4) A PETITION TO SHIELD INFORMATION RELATING TO A STETTED CHARGE MAY NOT BE FILED UNTIL THE EXPIRATION OF 3 YEARS SINCE THE TIME THE STET WAS ENTERED.

(5) WITHIN 30 DAYS AFTER RECEIPT OF A PETITION FILED IN ACCORDANCE WITH THIS SUBSECTION, THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL SHIELD THE INFORMATION.

(6) THE ADMINISTRATIVE OFFICE OF THE COURTS MAY ASSESS A REASONABLE FEE FOR A PETITION FILED UNDER THIS SUBSECTION TO OFFSET IMPLEMENTATION COSTS.”.