

HB1292/662319/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1292

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Retention of Right to Expungement” and substitute “Charges Not Resulting in Conviction – Shielding”; strike beginning with “establishing” in line 3 down through “facts” in line 6 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; prohibiting a certain Web site and computer terminals from in any way referring to the existence of a certain charge 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 7, strike “conforming” and substitute “technical”; and in the same line, after “expungement” insert “and shielding”.

AMENDMENT NO. 2

On page 2, in line 1, strike the bracket; in the same line, strike “If” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF**”; strike beginning with “that” in line 4 down through “unit” in line 5; in line 6, strike “a” and substitute “**ANOTHER**”; and strike beginning with the bracket in line 6 down through “UNIT” in line 9 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 DATE 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 PUBLIC WEB SITE AND PUBLIC COMPUTER TERMINALS MAINTAINED BY THE MARYLAND JUDICIARY MAY NOT IN ANY WAY REFER TO THE EXISTENCE OF A CHARGE THAT HAS BEEN SHIELDED UNDER THIS SUBSECTION.

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