

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

Senate Bill 141

(Chair, Judicial Proceedings Committee)(By Request -  
Departmental - Public Safety and Correctional Services)

Judicial Proceedings

Judiciary

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**Criminal Procedure - Criminal Justice Information System Central Repository -  
Reporting Data**

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This departmental bill eliminates the reporting deadline by which criminal justice units must report to the Criminal Justice Information System (CJIS) Central Repository the data pertaining to the release of a person after arrest without the filing of a charge.

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**Fiscal Summary**

**State Effect:** None. The bill eliminates an obsolete provision of the Criminal Procedure Article.

**Local Effect:** None.

**Small Business Effect:** The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** Chapter 63 of 2007 provided that a person who is arrested or confined by a law enforcement unit on or after October 1, 2007, and then is released without being charged with the commission of a crime is entitled to the expungement of all police records, including photographs and fingerprints, relating to the matter and is not required to pay any fee or costs in connection with the expungement.

Chapter 17 of 2011, a departmental initiative, eliminated the requirement that the release of a person after arrest without the filing of a charge must be reported to the Central Repository. This updated the statutory list of reportable events to the Central Repository by eliminating an event made obsolete for reporting purposes in 2007. It also made the provision addressed by this bill obsolete.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - January 26, 2012  
ncs/hlb

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## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Criminal Procedure – Criminal Justice Information System Central Repository – Reporting Data

BILL NUMBER: SB 141

PREPARED BY: Department of Public Safety and Correctional Services

### PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

### PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no effect on small business Maryland.