

HB0379/122412/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 379

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “expungement” insert “at a certain time”; strike beginning with “before” in line 4 down through “purpose” in line 6 and substitute “; making a certain conforming change; providing for the effective date of certain provisions of this Act”; after line 12, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10-110(a)(8)

Annotated Code of Maryland

(2008 Replacement Volume and 2016 Supplement)

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)”;

and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 14, strike “**BEFORE OCTOBER 1, 2014**”.

On page 4, after line 25, insert:

“(8) A PETITION FOR EXPUNGEMENT BASED ON THE CONVICTION OF A CRIME UNDER SUBSECTION (A)(12) OF THIS SECTION MAY NOT BE FILED WITHIN 5 YEARS AFTER THE CONVICTION OR SATISFACTORY COMPLETION OF THE SENTENCE, INCLUDING PROBATION, THAT WAS IMPOSED FOR THE CONVICTION, WHICHEVER IS LATER.”;

and in line 26, strike “(8)” and substitute “**(9)**”.

(Over)

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On page 5, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Criminal Procedure

10–110.

(a) A person may file a petition listing relevant facts for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State if the person is convicted of a misdemeanor that is a violation of:

(8) § 5–601 NOT INVOLVING THE USE OR POSSESSION OF MARIJUANA, § 5–618, § 5–619, § 5–620, § 5–703, § 5–708, or § 5–902 of the Criminal Law Article;”;

and strike in their entirety lines 20 through 27, inclusive.

AMENDMENT NO. 3

On page 5, before line 28, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2017, the effective date of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016. If the effective date of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016 is amended, Section 2 of this Act shall take effect on the taking effect of Section 2 of Chapter 515 of the Acts of the General Assembly of 2016.”;

in line 28, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, subject to Section 3 of this Act.”.