

HOUSE BILL 1312

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9lr2976

By: **Delegate Conaway**

Introduced and read first time: February 15, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Clerks of the Courts – Maryland Judiciary Case Search – Notation of Plea**
3 **Agreement**

4 FOR the purpose of requiring a clerk of the court to include a notation on whether a plea
5 entered in a criminal case was the result of a plea agreement as part of case
6 information in the Maryland Judiciary Case Search; providing for the application of
7 this Act; and generally relating to case information added to the Maryland Judiciary
8 Case Search.

9 BY repealing and reenacting, with amendments,
10 Article – Courts and Judicial Proceedings
11 Section 2–201(a)
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2018 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Courts and Judicial Proceedings**

17 2–201.

18 (a) The clerk of a court shall:

19 (1) Have custody of the books, records, and papers of his office;

20 (2) Make proper legible entries of all proceedings of the court and keep
21 them in well-bound books or other permanent form;

22 (3) When requested in writing to do so, record any paper filed with his office
23 and required by law to be recorded in the appropriate place, whether or not the title to land

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 is involved;

2 (4) Unless prohibited by law or order of court, provide copies of records or
3 papers in his custody to a person requesting a copy, under the seal of the court if required;

4 (5) Issue all writs which may legally be issued from the court;

5 (6) Deliver a full statement of the costs of a suit to a party requesting a
6 copy;

7 (7) Receive all books, documents, public letters, and packages sent to him
8 pursuant to law, and carefully dispose of them as the law requires;

9 (8) Administer an oath;

10 (9) Replace worn books and records with new ones;

11 (10) In conjunction with the Motor Vehicle Administrator, establish uniform
12 procedures for reporting both traffic cases and criminal cases involving a motor vehicle in
13 the circuit court to the Motor Vehicle Administration; [and]

14 (11) **WHEN PROVIDING CASE INFORMATION IN THE MARYLAND**
15 **JUDICIARY CASE SEARCH, INCLUDE A NOTATION ON WHETHER A PLEA ENTERED IN**
16 **A CRIMINAL CASE WAS THE RESULT OF A PLEA AGREEMENT; AND**

17 **(12)** Perform any other duty required by law or rule.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
19 apply only prospectively and shall only be applied or interpreted to have any effect on or
20 application to any information for an active case entered into the Maryland Judiciary Case
21 Search on or after the effective date of this Act.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2019.