

**SB0589/128574/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 589  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Expungement” insert “and Maryland Judiciary Case Search”; strike beginning with “authorizing” in line 3 down through “records” in line 11 and substitute “prohibiting the Maryland Judiciary Case Search from in any way referring to the existence of certain records relating to certain charges entered on or after a certain date; establishing the Partial Expungement Workgroup; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study, develop a plan, and make recommendations regarding certain matters; requiring the Workgroup to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to partial expungement and the Maryland Judiciary Case Search”; and strike in their entirety lines 12 through 21, inclusive, and substitute:

“BY adding to

Article - Criminal Procedure

Section 10-401 to be under the new subtitle “Subtitle 4. Maryland Judiciary Case Search Records”

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 6, strike in their entirety the lines beginning with line 25 on page 1 through line 28 on page 6, inclusive, and substitute:

**“SUBTITLE 4. MARYLAND JUDICIARY CASE SEARCH RECORDS.**

**10-401.**

(Over)

ON OR BEFORE OCTOBER 1, 2020, THE MARYLAND JUDICIARY CASE SEARCH MAY NOT IN ANY WAY REFER TO THE EXISTENCE OF RECORDS OF A CHARGE IN A CASE WITH ELECTRONIC RECORDS IF THE CHARGE RESULTED IN:

(1) ACQUITTAL;

(2) DISMISSAL; OR

(3) NOLLE PROSEQUI OR NOLLE PROSEQUI WITH THE REQUIREMENT OF DRUG OR ALCOHOL TREATMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Partial Expungement Workgroup.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Public Defender, or the Public Defender's designee;

(4) one representative of the Administrative Office of the Courts;

(5) the President of the Maryland State's Attorneys' Association, or the President's designee; and

(6) one representative of the Job Opportunities Task Force.

(c) The Workgroup shall designate the chair of the Workgroup.

**SB0589/128574/1 Judicial Proceedings Committee**  
**Amendments to SB 589**  
**Page 3 of 3**

(d) The Governor’s Office of Crime Prevention, Youth, and Victim Services shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall study and develop a plan and legislative recommendations for enabling the expungement of criminal charges that are currently not eligible for expungement because of the requirements of § 10–107 of the Criminal Procedure Article.

(g) On or before January 5, 2021, the Workgroup shall report its plan and legislative recommendations to the General Assembly, in accordance with § 2-1257 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That § 10–105.1 of the Criminal Procedure Article, as enacted by Section 1 of this Act, shall be construed to apply retroactively and prospectively and shall be applied to and interpreted to affect electronic records created before and after October 1, 2020.”.

AMENDMENT NO. 3

On page 6, in line 29, strike “2.” and substitute “4.”; and in line 30, strike “October 1, 2020” and substitute “June 1, 2020. Section 2 of this Act shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2021, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect”.