E2 3lr1409 CF SB 173

By: Delegate Moon, Conaway, Kaufman, Simpson, Taylor, and Young

Introduced and read first time: January 19, 2023

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2023

CHAPTER _____

- 1 AN ACT concerning
- 2 Automatic Expungement Clarification
- 3 FOR the purpose of clarifying the language of a provision provisions of law requiring the
- 4 expungement of certain records maintained by the State or a political subdivision of
- 5 the State relating to the charging of certain offenses under certain circumstances
- and notification of a certain right to expungement; and generally relating to
- 7 expungement.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Criminal Procedure
- 10 Section 10–105.1 and 10–105.2
- 11 Annotated Code of Maryland
- 12 (2018 Replacement Volume and 2022 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 14 That the Laws of Maryland read as follows:
- 15 Article Criminal Procedure
- 16 10–105.1.
- 17 (a) Beginning October 1, 2021, any police record, court record, or other record
- 18 maintained by the State or a political subdivision of the State relating to the charging of a
- 19 [crime or a] civil offense under § 5–601(c)(2)(ii) of the Criminal Law Article [, including a

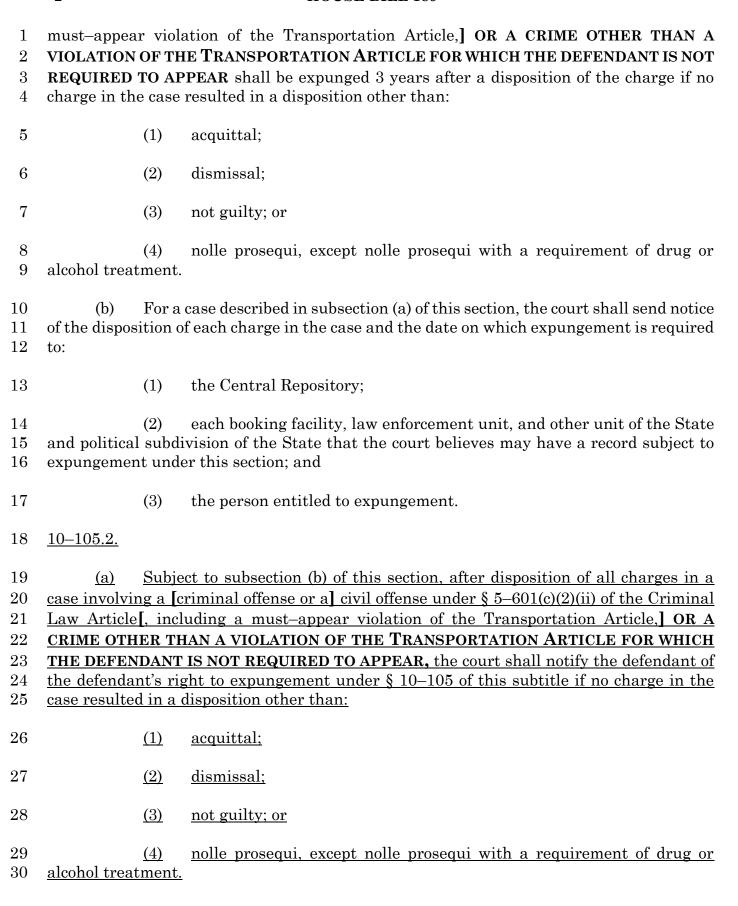
EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.





(b) (1) If the defendant is not present in court for the disposition, the court shall notify the defendant by mail.
(2) The notice provided under this section shall include a written form for general waiver and release of all tort claims relating to the charge or charges eligible for expungement under § 10–105 of this subtitle.
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.
Approved:
Governor.
Speaker of the House of Delegates.
President of the Senate.