

HOUSE BILL 55

E2

(PRE-FILED)

5r1439

CF 5r1440

By: **Delegates Ruff, Addison, Acevero, Boyce, Hill, McCaskill, Mireku-North, Pasteur, Pena-Melnyk, Phillips, Roberson, Simmons, Taylor, Toles, Wilkins, and Williams**

Requested: October 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Expungement of Records – Good Cause**

3 FOR the purpose of authorizing a person to file a petition for expungement of any
4 misdemeanor or felony conviction after the completion of the sentence, parole,
5 probation, and any other form of mandatory treatment associated with the
6 conviction; authorizing a court to grant a petition at any time on a showing of good
7 cause; providing that a denial of a petition may not be appealed and a subsequent
8 petition may not be filed for a certain period of time; and generally relating to
9 expungement of records.

10 BY adding to

11 Article – Criminal Procedure

12 Section 10–113

13 Annotated Code of Maryland

14 (2018 Replacement Volume and 2024 Supplement)

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

17 **Article – Criminal Procedure**

18 **10–113.**

19 **(A) (1) A PERSON MAY FILE A PETITION FOR EXPUNGEMENT OF ANY**
20 **MISDEMEANOR OR FELONY CONVICTION AFTER THE COMPLETION OF THE**
21 **SENTENCE, PAROLE, PROBATION, AND ANY OTHER FORM OF MANDATORY**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 TREATMENT ASSOCIATED WITH THE CONVICTION FOR WHICH EXPUNGEMENT IS
2 BEING REQUESTED.

3 (2) A COURT MAY GRANT A PETITION FOR EXPUNGEMENT UNDER
4 THIS SECTION AT ANY TIME ON A SHOWING OF GOOD CAUSE.

5 (B) IN MAKING A FINDING OF GOOD CAUSE UNDER THIS SECTION, THE
6 COURT SHALL CONSIDER:

7 (1) THE NATURE OF THE CRIME;

8 (2) THE PERSON'S HISTORY AND CHARACTER;

9 (3) THE PERSON'S RISK TO PUBLIC SAFETY;

10 (4) THE PERSON'S SUCCESS AT REHABILITATION;

11 (5) THE AMOUNT OF TIME SINCE THE CONVICTION; AND

12 (6) THE IMPACT THE CHARGE HAS ON THE PERSON'S ABILITY TO
13 SECURE EMPLOYMENT, EDUCATION, HOUSING, PUBLIC ASSISTANCE, LICENSING,
14 AND OPPORTUNITIES FOR ECONOMIC STABILITY.

15 (C) IF THE COURT DENIES A PETITION FOR AN EXPUNGEMENT UNDER THIS
16 SECTION:

17 (1) THE DENIAL MAY NOT BE APPEALED; AND

18 (2) THE PERSON WHO FILED THE PETITION MAY NOT FILE A
19 SUBSEQUENT PETITION FOR EXPUNGEMENT UNDER THIS SECTION FOR THE SAME
20 CONVICTION FOR AT LEAST 5 YEARS.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2025.