

HOUSE BILL 397

E2
HB 318/25 – JUD

6lr1230

By: **Delegate Grammer**

Introduced and read first time: January 22, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Expungement – Failure to Obey a Court Order to Report**
3 **to Confinement**

4 FOR the purpose of authorizing a person to file a petition for expungement of a conviction
5 of failure to obey a court order to report to a place of confinement; prohibiting a
6 person from filing a petition for expungement of a conviction of failure to obey a court
7 order to report to a place of confinement before a certain amount of time has passed
8 after the completion of the sentence; and generally relating to expungement.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 10–110(a) and (c)
12 Annotated Code of Maryland
13 (2025 Replacement Volume)

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

16 **Article – Criminal Procedure**

17 10–110.

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

21 (1) a misdemeanor that is a violation of:

22 (i) § 6–320 of the Alcoholic Beverages and Cannabis Article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(ii) an offense listed in § 17–613(a) of the Business Occupations and Professions Article;

(iii) § 5–712, § 19–304, § 19–308, or Title 5, Subtitle 6 or Subtitle 9 of the Business Regulation Article;

(iv) § 3–1508 or § 10–402 of the Courts Article;

(v) § 14–1915, § 14–2902, or § 14–2903 of the Commercial Law Article;

(vi) § 5–211 of this article;

(vii) § 3–203 or § 3–808 of the Criminal Law Article;

(viii) § 5–601 not involving the use or possession of cannabis, § 5–602(b)(1), § 5–618, § 5–619, § 5–620, § 5–703, § 5–708, or § 5–902 of the Criminal Law Article;

(ix) § 6–105, § 6–108, § 6–205 (fourth degree burglary), § 6–206, § 6–301, § 6–303, § 6–306, § 6–307, § 6–402, or § 6–503 of the Criminal Law Article;

(x) § 7–104, § 7–203, § 7–205, § 7–304, § 7–308, or § 7–309 of the Criminal Law Article;

(xi) § 8–103, § 8–106, § 8–204, § 8–206, § 8–401, § 8–402, § 8–404, § 8–406, § 8–408, § 8–503, § 8–521, § 8–523, or § 8–904 of the Criminal Law Article;

(xii) § 9–204, § 9–205, **§ 9–405(A)(2)**, § 9–503, or § 9–506 of the Criminal Law Article;

(xiii) § 10–110, § 10–201, § 10–402, § 10–404, or § 10–502 of the Criminal Law Article;

(xiv) § 11–303, § 11–306, or § 11–307 of the Criminal Law Article;

(xv) § 12–102, § 12–103, § 12–104, § 12–105, § 12–109, § 12–203, § 12–204, § 12–205, or § 12–302 of the Criminal Law Article;

(xvi) § 13–401, § 13–602, or § 16–201 of the Election Law Article;

(xvii) § 4–509 of the Family Law Article;

(xviii) § 18–215 of the Health – General Article;

(xix) § 4–411 or § 4–2005 of the Housing and Community Development Article;

(xx) § 27–403, § 27–404, § 27–405, § 27–406, § 27–406.1, § 27–407, § 27–407.1, or § 27–407.2 of the Insurance Article;

(xxi) § 8–725.4, § 8–725.5, § 8–725.6, § 8–725.7, § 8–726, § 8–726.1, § 8–727.1, or § 8–738.2 of the Natural Resources Article or any prohibited act related to speed limits for personal watercraft;

(xxii) § 10–301, § 10–306, § 10–308.1, § 10–413(e)(1), § 10–418, § 10–502, § 10–611, or § 10–907(a) of the Natural Resources Article;

(xxiii) § 5–307, § 5–308, § 6–602, § 7–402, or § 14–114 of the Public Safety Article;

(xxiv) § 7–318.1, § 7–509, or § 10–507 of the Real Property Article;

(xxv) § 9–124 of the State Government Article;

(xxvi) § 13–1001, § 13–1004, § 13–1007, or § 13–1024 of the Tax – General Article;

(xxvii) § 16–101 or § 16–303 of the Transportation Article; or

(xxviii) the common law offenses of affray, rioting, criminal contempt, battery, or hindering;

(2) a felony that is a violation of:

(i) § 7–104 of the Criminal Law Article;

(ii) the prohibition against possession with intent to distribute a controlled dangerous substance under § 5–602 of the Criminal Law Article; or

(iii) § 6–202(a), § 6–203, or § 6–204 of the Criminal Law Article; or

(3) an attempt, a conspiracy, or a solicitation of any offense listed in item (1) or (2) of this subsection.

(c) (1) Except as otherwise provided in this subsection, a petition for expungement under this section may not be filed earlier than 5 years after the completion of the sentence.

(2) A petition for expungement for a violation of § 3–203 of the Criminal Law Article or common law battery may not be filed earlier than 7 years after the completion of the sentence.

(3) A petition for expungement for an offense classified as a domestically related crime under § 6–233 of this article **OR A VIOLATION OF § 9–405(A)(2) OF THE CRIMINAL LAW ARTICLE** may not be filed earlier than 15 years after the completion of the sentence.

(4) Except as provided in paragraphs (5) and (6) of this subsection, a petition for expungement of a felony may not be filed earlier than 7 years after the completion of the sentence.

(5) A petition for expungement of a conviction of possession with intent to distribute cannabis under § 5–602 of the Criminal Law Article may not be filed earlier than 3 years after the completion of the sentence.

(6) A petition for expungement of a conviction for § 6–202(a), § 6–203, or a felony that is a violation of § 7–104 of the Criminal Law Article may not be filed earlier than 10 years after the completion of the sentence.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.