

SENATE BILL 315

E2
HB 621/25 – JUD

6lr0828
CF HB 131

By: Senator Waldstreicher

Introduced and read first time: January 22, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Expungement – Adverse Actions and Removal From**
3 **Maryland Electronic Courts (MDEC) System**

4 FOR the purpose of clarifying that refusal by a person to disclose information about
5 criminal charges that have been expunged may not be the sole reason for a unit, an
6 official, or an employee of the State or a political subdivision of the State to deny the
7 person's application for a license, permit, registration, or governmental service;
8 providing that refusal by a person to disclose information about criminal charges
9 that have been expunged may not be the sole reason for an educational institution
10 to expel or refuse to admit the person; prohibiting the Maryland Electronic Courts
11 (MDEC) system from in any way referring to the existence of a certain case in which
12 possession of cannabis is the only charge in the case and the charge was disposed of
13 before a certain date; requiring the Department of Public Safety and Correctional
14 Services to remove from the MDEC system all references to the existence of a certain
15 case in which possession of cannabis is the only charge in the case and the charge
16 was disposed of before a certain date; and generally relating to expungement.

17 BY repealing and reenacting, with amendments,
18 Article – Criminal Procedure
19 Section 10–109, 10–111, and 10–112
20 Annotated Code of Maryland
21 (2025 Replacement Volume)

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

24 **Article – Criminal Procedure**

25 10–109.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



3 (i) by an employer or educational institution of a person who applies
4 for employment or admission; or

5 (ii) by a unit, official, or employee of the State or a political
6 subdivision of the State or a person who applies for a license, permit, registration, or
7 governmental service.

(2) A person need not refer to or give information concerning an expunged charge when answering a question concerning:

10 (i) a criminal charge that did not result in a conviction; or

11 (ii) a conviction that the Governor pardoned.

12 (3) Refusal by a person to disclose information about criminal charges that
13 have been expunged may not be the sole reason for:

14 (i) an employer to discharge or refuse to hire the person; [or]

18 (III) AN EDUCATIONAL INSTITUTION TO EXPEL OR REFUSE TO
19 ADMIT THE PERSON.

20 (b) (1) A person who violates this section is guilty of a misdemeanor and on
21 conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year
22 or both for each violation.

(2) In addition to the penalties provided in paragraph (1) of this subsection, an official or employee of the State or a political subdivision of the State who is convicted under this section may be removed or dismissed from public service.

26 10-111.

27 The Maryland Judiciary Case Search AND THE MARYLAND ELECTRONIC
28 COURTS (MDEC) SYSTEM may not in any way refer to the existence of a criminal case in
29 which:

30 (1) possession of cannabis under § 5-601 of the Criminal Law Article is the
31 only charge in the case; and

(2) the charge was disposed of before July 1, 2023.

2 10-112.

6 (b) On or before July 1, 2024, the Department of Public Safety and Correctional
7 Services shall expunge all cases in which:

8 (1) possession of cannabis under § 5–601 of the Criminal Law Article is the
9 only charge in the case; and

10 (2) the charge was issued before July 1, 2023.

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