

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 360
Judiciary

(Delegate Moon, *et al.*)

Criminal Procedure - Automated Expungement (Clean Slate Act of 2026)

This bill requires the Judiciary and the Department of Public Safety and Correctional Services (DPSCS) to “expunge” all cases meeting specified criteria by July 1, 2028, and newly eligible cases on a monthly basis thereafter. “Expunge” means to (1) remove all references to a specified criminal case from the Central Repository within DPSCS and (2) remove from public view all electronic court records relating to the case, without needing to redact physical or electronic documents, recordings, or audio or visual media.

Fiscal Summary

State Effect: General fund expenditures for the Judiciary increase by *as much as* \$1.9 million in FY 2027 and \$2.0 million in FY 2028 to implement the bill; general fund expenditures *may* continue after FY 2028, as discussed below. General fund expenditures increase, potentially significantly, for DPSCS to implement the bill, as discussed below. Potential minimal decrease in general fund revenues from filing fees.

Local Effect: The bill is not anticipated to materially affect local finances or operations.

Small Business Effect: None.

Analysis

Bill Summary: On or before July 1, 2028, DPSCS and the Judiciary must expunge all cases involving charges and dispositions or misdemeanor convictions meeting specified criteria, as described below.

- *Charges and Dispositions*
 - all charges or dispositions in the case are listed as eligible for expungement under § 10-105(a) of the Criminal Procedure Article;
 - the case is eligible under the “unit rule”; and
 - at least three years have passed since the date of the disposition of the case.

- *Misdemeanor Convictions*
 - any convictions in the case are misdemeanor convictions that are listed as eligible for expungement under § 10-110(a), other than second-degree assault and any charge marked in electronic court records as a “domestically related crime” under § 6-233 of the Criminal Procedure Article;
 - the case is eligible for expungement under the unit rule;
 - the person is not a defendant in a pending criminal proceeding;
 - all convictions in the unit are eligible for expungement under § 10-110; and
 - at least seven years have passed since the disposition of the case, except that if the person is convicted of a new crime during the seven-year period, the original conviction or convictions are not eligible for expungement unless the new conviction becomes eligible for expungement.

Beginning August 1, 2028, the Judiciary must identify newly eligible cases on a monthly basis and promptly notify DPSCS of newly eligible cases. DPSCS and the Judiciary must expunge all newly eligible cases within one month of the notification.

Current Law:

Expungements

Other than specified court-initiated expungements under § 10-105.1 of the Criminal Procedure Article, to begin the process of expungement, a petitioner must file a petition for expungement with the court under § 10-105 or § 10-110 of the Criminal Procedure Article, which establishes eligibility for the expungement of records pertaining to a criminal charge or conviction. With some exceptions, § 10-105 applies to dispositions other than a conviction, and § 10-110 applies to expungements of convictions.

Expungement of a court or police record means removal from public inspection:

- by obliteration;
- by removal to a separate secure area to which persons who do not have a legitimate reason for access are denied access; or

- if access to a court record or police record can be obtained only by reference to another such record, by the expungement of that record, or the part of it that provides access.

Units of Charges

Pursuant to § 10-107 of the Criminal Procedure Article, if two or more charges, other than one for a minor traffic violation or possession of cannabis under § 5-601 of the Criminal Law Article, arise from the same incident, transaction, or set of facts, they are considered to be a unit. A charge for a minor traffic violation or possession of cannabis under § 5-601 of the Criminal Law Article that arises from the same incident, transaction, or set of facts as a charge in the unit is not a part of the unit. If a person is not entitled to expungement of one charge or conviction in a unit, the person is not entitled to expungement of any other charge or conviction in the unit. This “unit rule” applies to expungements under Title 10, Subtitle 1 of the Criminal Procedure Article (to which the bill is drafted).

Section 10-105 of the Criminal Procedure Article

Under § 10-105 of the Criminal Procedure Article, a person who has been charged with the commission of a crime for which a term of imprisonment may be imposed or who has been charged with a civil offense or infraction, except a juvenile offense, may file a petition for expungement of a police record, court record, or other record maintained by the State or a political subdivision of the State, under various circumstances listed in the statute. With specified exceptions, these grounds include acquittal, dismissal of charges, entry of probation before judgment, entry of *nolle prosequi*, *stet* of charge, and gubernatorial pardon. Individuals convicted of a crime that is no longer a crime, convicted of possession of cannabis under § 5-601 of the Criminal Law Article, convicted of or found not criminally responsible for specified public nuisance crimes or specified misdemeanors, or who had a conviction vacated due to being a victim of human trafficking (as defined in statute), are also eligible for expungement of the associated criminal records under certain circumstances.

In general, a petition for expungement under § 10-105 based on an acquittal, a *nolle prosequi*, or a dismissal may not be filed within three years after the disposition, unless the petitioner files a written waiver and release of all tort claims arising from the charge. A petition based on a probation before judgment may not be filed before the petitioner’s discharge from probation or three years after the probation was granted, whichever is later. A petition based on a *stet* with the requirement of drug or alcohol abuse treatment may not be filed before the petitioner’s completion of treatment or three years after the *stet* was entered on the docket, whichever is later. Otherwise, a petition based on a *stet* or a compromise may not be filed within three years after the *stet* or compromise.

Unless the State's Attorney files an objection to the petition for expungement within 30 days after the petition is served, the court must pass an order requiring the expungement of all police records and court records about the charge. If the State's Attorney files a timely objection to the petition, the court must hold a hearing. If the court at the hearing finds that the person is entitled to expungement, the court must order the expungement of all police records and court records about the charge.

In determining whether the person is entitled to expungement, the court must consider, to the extent applicable (1) the person's success at probation, parole, or mandatory supervision and (2) whether the person has paid any monetary restitution ordered by the court in the original proceeding or does not have the ability to pay the restitution.

If the court finds that the person is not entitled to expungement, the court must deny the petition. A person is not entitled to expungement if (1) subject to a specified exception, the petition is based on the entry of probation before judgment and the person, within three years of the entry of the probation before judgment, has been convicted of a crime other than a minor traffic violation or a crime where the act on which the conviction is based is no longer a crime or (2) the person is a defendant in a pending criminal proceeding.

Except for court initiated expungements under § 10-105.1 and unless an order is stayed pending an appeal, within 60 days after entry of the order, every custodian of the police records and court records that are subject to the order of expungement must advise in writing the court and the person who is seeking expungement of compliance with the order.

Automatic Expungements – § 10-105.1 of the Criminal Procedure Article

Pursuant to Chapter 680 of 2021, beginning October 1, 2021, any police record, court record, or other record maintained by the State or a political subdivision of the State relating to the charging of a civil offense under § 5-601(c)(2)(ii) (related to possession of cannabis) of the Criminal Law Article or a crime other than a violation of the Transportation Article for which the defendant is not required to appear, must be expunged three years after a disposition of the charge if no charge in the case resulted in a disposition other than acquittal; dismissal; not guilty; or *nolle prosequi*, other than *nolle prosequi* with a requirement of drug or alcohol treatment.

Section 10-110 of the Criminal Procedure Article

Section 10-110 of the Criminal Procedure Article authorizes an individual convicted of any of a list of approximately 100 specified offenses or an attempt, a conspiracy, or a solicitation of any of these offenses, to file a petition for expungement of the conviction, subject to specified procedures and requirements. An itemized list of convictions eligible

for expungement under § 10-110 is shown in the **Appendix – Convictions Eligible for Expungement**.

Petitions for expungements under § 10-110 are subject to the waiting periods listed below. These waiting periods begin after the sentence has expired, including parole, probation, or mandatory supervision:

- Misdemeanor (general): 5 years;
- Felony (general), Second-degree Assault, or Common Law Battery: 7 years;
- Domestically Related Crime (§ 6-233 of the Criminal Procedure Article): 15 years;
- Possession with Intent to Distribute Cannabis: 3 years; and
- Burglary in the First Degree (Breaking and Entering – Theft), Burglary in the Second Degree, or Felony General Theft: 10 years.

If the person is convicted of a new crime during the applicable waiting period, the original conviction or convictions are not eligible for expungement unless the new conviction becomes eligible for expungement.

A person is not eligible for expungement if the person is a defendant in a pending criminal proceeding.

Unless the State’s Attorney or a victim files an objection to the petition for expungement within 30 days after the petition is served, the court must pass an order requiring the expungement of all police records and court records about the charge.

If the State’s Attorney or a victim files a timely objection to the petition, the court must hold a hearing. The court must order the expungement of all police records and court records about the charge after a hearing, if the court finds and states on the record:

- that the conviction is eligible for expungement under specified provisions of § 10-110;
- that giving due regard to the nature of the crime, the history and character of the person, and the person’s success at probation, parole, or mandatory supervision, the person is not a risk to public safety;
- that the person has paid any monetary restitution ordered by the court in the original proceeding or does not have the ability to pay the restitution; and
- that an expungement would be in the interest of justice.

If at a hearing the court finds that a person is not entitled to expungement, the court must deny the petition.

Unless an order is stayed pending appeal, within 60 days after entry of the order, every custodian of the police records and court records that are subject to the order of expungement must advise in writing the court and the person who is seeking expungement of compliance with the order.

State Revenues: General fund revenues may decrease minimally from filing fee revenues if the bill reduces petitions for expungements of convictions. The courts currently charge a \$30 filing fee for petitions to expunge a guilty disposition (conviction); fee waivers for financial hardship are available.

State Expenditures:

Judiciary

General fund expenditures increase by *as much as* \$1,869,575 in fiscal 2027 and \$1,976,863 in fiscal 2028, which accounts for the bill’s October 1, 2026 effective date. This estimate reflects the cost of hiring 36 contractual clerks to assist with identification and expungement of eligible cases during the initial phase of the bill within the District Court’s 12 judicial districts and circuit courts in the State’s 23 counties and Baltimore City. It includes salaries, fringe benefits, one-time start-up costs, one-time computer programming, one-time updates to forms and informational materials for the public, and ongoing operating expenses.

	<u>Fiscal 2027</u>	<u>Fiscal 2028</u>
New Contractual Positions	36.0	0.0
Salaries and Fringe Benefits	\$1,490,898	\$1,875,891
Programming/ Materials	49,610	0
Operating Expenses	<u>329,067</u>	<u>100,972</u>
Maximum Judiciary Expenditures	\$1,869,575	\$1,976,863

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State’s implementation of the federal Patient Protection and Affordable Care Act.

The District Court is a unified court with operations that allow for more flexibility to accommodate needs statewide; circuit court operations are more local in nature. This represents the *maximum* level of additional resources needed for the initial phase of expungements under the bill. Expungements under the bill are not as involved as traditional expungements and the bill applies to electronic courts records, which *may* eliminate the scope of work under the bill. However, the identification of eligible cases by the courts is nevertheless anticipated to be a labor-intensive process, especially within the timelines under the bill. Furthermore, under the current process, the courts determine whether a

record is eligible to be expunged and notify the appropriate custodians of the record, including the Central Repository, which is housed within the Criminal Justice Information System (CJIS) in DPSCS. CJIS contains records far beyond the existence of electronic court records, and it is unclear if the CJIS records that the court would need to identify and report to CJIS are just those with corresponding electronic court records.

The Judiciary advises that while most of the initial screening process can be done through developed programming (at a cost of \$37,870 in fiscal 2027 only), the programming can only find eligible dispositions. A manual review of each case by the clerks is still needed to evaluate other eligibility criteria, including whether there was a satisfactory completion of a sentence. However, the Judiciary notes that only a judge can make a final eligibility determination for expungements.

Should positions be needed beyond fiscal 2028, expenditures continue, but at a much lower level. The extent of additional resources needed in fiscal 2029 and beyond depends on workloads under the monthly system established under the bill and the extent to which the bill reduces workloads related to petition-based expungements, which cannot be reliably predicted without experience under the bill.

Department of Public Safety and Correctional Services

General fund expenditures increase, perhaps significantly, for DPSCS to comply with the bill's requirements. As with the Judiciary, expenditures are higher during fiscal 2027 and 2028 for the initial phase of the bill and decrease after July 1, 2028, when workloads stabilize. The number of additional contractual positions needed for DPSCS to comply with the bill cannot be reliably determined at this time and depends on the number of eligible cases identified by the Judiciary. DPSCS advises that it is having difficulties keeping up with current expungement demand and expects a significant number of expungements under the bill. DPSCS has historically advised that it requires one additional administrative employee for every 2,500 additional expungements. *For illustrative purposes only*, the cost associated with one contractual employee for CJIS is approximately \$49,440 in fiscal 2027 and \$53,510 in fiscal 2028.

In addition to the need for additional resources, the bill presents compliance challenges for CJIS, as discussed below.

Information Technology Upgrades: Chapter 940 of 2024 specifies that DPSCS must include system upgrades required to allow for automated expungement of charges and partial expungement of charges in any vendor contracts being negotiated as of October 1, 2024. DPSCS advises that it is currently in the development phase of its new Computerized Criminal History (CCH) System, which is a network of various systems. DPSCS has received \$13.3 million for the upgrade through fiscal 2026. According to

DPSCS's fiscal 2027 budget allowance, total estimated costs are \$20 million – \$30 million. As discussed below, it is unlikely the upgrade will be completed in time for the bill's July 1, 2028 deadline. Compliance with the bill without the new system requires more contractual employees and may present challenges with meeting the one-month turnaround time under the bill.

Under the current system, expungement is a manual, labor intensive process. Employees handle the actual expungement of CJIS records and quality assurance to make sure the expungement is processed and finalized properly. With the new system, the first part of the process will be automated, but quality assurance will still be a manual process. Also, the current system cannot handle batch processing of expungement orders from the courts, which appears to be contemplated under the bill; batch processing will be possible under the new CCH system. In order for expungements to be processed through the new CCH system, the entire system will need to be upgraded. In response to this legislation, DPSCS said that it could not provide a completion date for the upgrade, but believes it could be completed in 2028. However, according to the Department of Information Technology's *Major Information Technology Development Project Portfolio Mid-Year Report for Fiscal Year 2026* (published December 31, 2025), the CCH upgrade is expected to be complete in 2033. The *Major Information Technology Appendix* for the fiscal 2027 budget also indicates a completion date in 2033.

Conflict with Current Upgrade Parameters: DPSCS advises that under the current system, when CJIS processes an expungement, information is moved from the main system to a private server that is only accessible by law enforcement through a court order. Under the bill, "expunge" means to remove all references to a specified criminal case from the Central Repository within DPSCS. CJIS advises that this conflict may require changes to its current contract for the upgrade, which may result in additional costs and delays.

Turnaround Time: The bill requires DPSCS to comply with expungement orders within 30 days of notification by the courts, beginning August 1, 2028. CJIS advises that a one-month compliance turnaround time is not operationally feasible using the current manual process. (Custodians of records have a 60-day timeframe for traditional expungements under current law.) DPSCS cannot reliably determine if the bill's compliance timeframe is feasible with the new system, which is still in development and has not been tested.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 483 (Senator McKay, *et al.*) - Judicial Proceedings..

Information Source(s): Department of Public Safety and Correctional Services; Judiciary (Administrative Office of the Courts); Department of Legislative Services

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sj/jkb

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Appendix – Convictions Eligible for Expungement

Convictions Eligible for Expungement under Section 10-110 of the Criminal Procedure Article

Misdemeanors Eligible for Expungement

Alcoholic Beverages and Cannabis Article

AB, § 6-320 – Disorderly Intoxication

Business Occupations and Professions Article

BOP, § 17-613(a): Crimes relating to real estate brokers and agents (*e.g.*, failure to deposit money in trust accounts, engaging in discriminatory real estate practices, acting as a dual agent, providing brokerage services without a license, etc.)

Business Regulation Article

BR, § 5-610: Violation of Business Regulation Article, Title 5, Subtitle 6 (perpetual care of cemeteries)

BR, § 5-712: Failure to deposit money received under or in connection with a preneed burial contract

BR, § 5-904: Violation of any provision of Title 5, Subtitle 9 of the Business Regulation Article (cemetery-related violations – failure to register as operator, operating a cemetery without the proper form of business entity, and unauthorized representations)

BR, § 19-304: Violations of laws relating to returnable containers and returnable textiles (improper use, improper registration, defacing, etc.)

BR, § 19-308: Violations of laws relating to plastic secondary packaging

Courts and Judicial Proceedings Article

CJ, § 3-1508: Failure to comply with a peace order

CJ, § 10-402: Divulging contents of communications (subsection (d))

Commercial Law Article

CL, § 14-1915: Violations of the Maryland Credit Services Businesses Act

CL, § 14-2902: False and fraudulent advertising

CL, § 14-2903: Bait and switch

Criminal Procedure Article

CP, § 5-211: Failure to surrender after forfeiture of bail or recognizance

Criminal Law Article

CR, § 3-203: Assault in the second degree (misdemeanor)

CR, § 3-808: Filing a fraudulent lien or encumbrance

CR, § 5-601: Possession or administration of a controlled dangerous substance (not involving use or possession of cannabis)

CR, § 5-602(b)(1): Possession with intent to distribute cannabis

CR, § 5-618: Possession or purchase of noncontrolled substance that the person reasonably believes is a controlled substance

CR, § 5-619: Use or possession of drug paraphernalia

CR, § 5-620: Obtaining, possessing, or distributing controlled paraphernalia

CR, § 5-703: Unsolicited mailing of a controlled dangerous substance, prescription drug, or medicine

CR, § 5-708: Smelling or inhaling harmful substances

CR, § 5-902: Omitting, removing, altering, or obliterating a symbol required by federal law for a substance governed by Title 5 of the Criminal Law Article (controlled dangerous substance prescriptions, and other substances); refusal or failure to maintain specified documentation required under Title 5; refusing entry into a premises or inspection of a premises authorized under Title 5), maintaining a place resorted to by others for illegal use of controlled dangerous substance or for the keeping or selling of a controlled dangerous substance; unauthorized manufacturing, dispensing, or distribution of controlled dangerous substance by a registrant; controlled dangerous substance/paraphernalia-related violations by authorized provider; and contraband

CR, § 6-105: Malicious burning of personal property in the second degree

CR, § 6-108: Willful and malicious burning of a trash container

CR, § 6-205: Fourth-degree burglary

CR, § 6-206: Breaking and entering a motor vehicle – rogue and vagabond

CR, § 6-301: Malicious destruction of property

CR, § 6-303: Public utility interference – electrical equipment

CR, § 6-306: Alteration of manufacturer's serial number or sale of good with altered serial number

CR, § 6-307: Sale or possession of stolen serial number or vehicle identification plate or possession of a manufactured serial number or vehicle identification plate with intent to affix to stolen property or use for fraudulent purposes

CR, § 6-402: Trespass on posted property

CR, § 6-503: Unauthorized riding on railroad vehicle or unauthorized entry onto railroad property

CR, § 7-104: General theft (less than \$100 and at least \$100 but less than \$1,500)

CR, § 7-203: Unauthorized removal of property
CR, § 7-205: Abandonment of or failure to return leased or rented motor vehicle
CR, § 7-304: Obtaining telephone records without authorization
CR, § 7-308: Prohibited transfer of recorded sounds or images (penalty contained in CR, § 7-309)
CR, § 8-103: Obtaining property or services by bad check (misdemeanors – values of less than \$100 and at least \$100 but less than \$1,500)
CR, § 8-204: Credit card theft
CR, § 8-206: Misdemeanor credit card crimes (less than \$100 and at least \$100 but less than \$1,500)
CR, § 8-401: Fraudulent conversion of partnership assets
CR, § 8-402: Fraudulent misrepresentation by corporate officer or agent
CR, § 8-404: Pyramid promotional schemes
CR, § 8-406: Misuse of documents of title
CR, § 8-408: Unlawful subleasing of motor vehicle
CR, § 8-503: Public assistance fraud – generally
CR, § 8-521: Fraudulently obtaining legal representation from the Office of the Public Defender
CR, § 8-523: Housing assistance fraud, making false statements
CR, § 8-904: Racing a horse under a name other than its registered name
CR, § 9-204: Bribing a person participating in or connected with an athletic contest
CR, § 9-205: Acceptance of a bribe by a person participating in or connected with an athletic contest
CR, § 9-503: Making a false statement to a State or local official/agency concerning a crime or hazard
CR, § 9-506: Making a false statement on an application for funds from the Maryland Higher Education Commission
CR, § 10-110: Illegal Dumping and Violation of Litter Control Law
CR, § 10-201: Disturbing the peace and disorderly conduct
CR, § 10-402: Unlawful removing or attempting to remove human remains from burial site
CR, § 10-404: Removal or destruction of funerary objects, graveyard plants, disorderly conduct in graveyards
CR, § 10-502: Bigamy (listed as a misdemeanor but is a felony)
CR, § 11-303: Engaging in prostitution
CR, § 11-306: Procuring or solicitation of prostitution or assignation
CR, § 11-307: Using a building, structure, or conveyance for prostitution or assignation
CR, § 12-102: Betting, wagering, gambling, etc.; pool on races/contests
CR, § 12-103: Playing specified games for money (*e.g.*, craps, thimbles, etc.)
CR, § 12-104: Keeping a gaming device or a place for gambling
CR, § 12-105: Offshore gambling
CR, § 12-109: Prearrangement or predetermination of horse race results
CR, § 12-203: Holding a lottery or selling a lottery device

CR, § 12-204: Keeping a location for the sale or barter of lottery devices
CR, § 12-205: Importing a lottery device or possession of lottery records or money
CR, § 12-302: Unlawful possession or operation of a slot machine

Election Law Article

EL, § 13-401: Failure to comply with authority line requirements in campaign material
EL, § 13-602: Specified campaign finance/election-related violations (*e.g.*, providing money/aid or a thing of value to induce or procure a vote, influence by employer of employee's vote, etc.)
EL, § 16-201: Voting-related offenses (*e.g.*, impersonation of another in order to vote, voting under a false name, etc.)

Family Law Article

FL, § 4-509: Failure to comply with protective order

Health General Article

HG, § 18-215: Violations relating to infectious or contagious disease reports

Housing and Community Development Article

HCD, § 4-411: Making a false statement or report to the Department of Housing and Community Development for Rental Housing Program loan
HCD, § 4-2005: Making a false statement or report to the Department of Housing and Community Development for Energy-Efficient Homes Construction Loan Program loan

Insurance Article (fraudulent insurance acts)

IN, § 27-403: Failure to return premiums, making false or misleading claims to an insurer
IN, § 27-404: Insurer doing business with unlicensed persons
IN, § 27-405: Representations to public by unlicensed persons
IN, § 27-406: False applications and statements; unregulated insurers
IN § 27-406.1: Fraudulent insurance acts of individual sureties
IN, § 27-407: Solicitation of injured persons; solicitation of clients for lawyer or health care practitioner
IN, § 27-407.1: Organizing, planning, or knowingly participating in an intentional motor vehicle accident
IN, § 27-407.2: Compensation for insurance deductible

Natural Resources Article

- NR, § 8-725.4: Speed limits on the Severn River imposed on specified days from April 15, 1989, to October 15, 1989
- NR, § 8-725.5: Noise levels for vessels operated in tidal waters
- NR, § 8-725.6: Speed limit on Seneca Creek
- NR, § 8-725.7: Speed limit on certain areas of Monocacy River
- NR, § 8-726: Throwing or dumping refuse on waters of the State
- NR, § 8-726.1: Throwing specified types of waste on certain waters of the State
- NR, § 8-727.1: Use of flashing red and yellow lights or signal devices
- NR, § 8-738.2: Operating a vessel in a reckless or dangerous manner
- Any prohibited act related to speed limits for personal watercraft
- NR, § 10-301: Hunting game birds or mammals without a hunting license)
- NR, § 10-306: Duty to be in physical possession of a license while hunting and duty to present a license to law enforcement on demand while hunting)
- NR, § 10-308.1: Hunting migratory game birds without a Maryland migratory game bird stamp, etc.
- NR, § 10-413(e)(1): Training a retriever dog using artificially reared game birds without a permit)
- NR, § 10-418: Failure to wear fluorescent clothing while hunting
- NR, § 10-502: Trapping furbearers without a nonresident trapper's license
- NR, § 10-611: Hunting wild waterfowl from a blind site without a license
- NR, § 10-907(a): Engaging in specified activities without a falconry permit

Public Safety Article

- PS, § 5-307: Scope of handgun permit (listed in statute but is not a crime)
- PS, § 5-308: Possession of handgun permit required
- PS, § 6-602: Interference or obstruction of fire marshal, false representation as a fire marshal
- PS, § 7-402: Interference, obstruction of fire or emergency services personnel
- PS, § 14-114: Violation of order, rule, or regulation issued under Maryland Emergency Management Agency Act

Real Property Article

- RP, § 7-318.1: Failure of foreclosure consultant to obtain a real estate broker's license or violation by foreclosure consultant of Maryland Real Estate Brokers Act
- RP, § 7-509: Does not refer to a prohibited act – penalty provision for violations of provisions of Maryland Mortgage Assistance Relief Services Act
- RP, § 10-507: Violation of Custom Home Protection Act (subsection (b)(3))

State Government Article

SG, § 9-124: Prohibited acts relating to State lottery

Tax General

TG, § 13-1001: Willful failure to file tax return

TG, § 13-1004: Income tax preparer – false return, false claim for refund, or attempted tax evasion

TG, § 13-1007: Violations of income tax withholding requirements

TG, § 13-1024: Failure to provide information with intent to evade taxes

Transportation Article

TR, § 16-101: Driving without a license

TR, § 16-303: Driving while privilege is canceled, suspended, or revoked

Common Law Offenses

Affray

Battery

Criminal contempt

Hindering a law enforcement officer

Rioting

Felonies Eligible for Expungement

Criminal Law Article

CR, § 7-104: General Theft (at least \$1,500)

CR, § 5-602: Possession with intent to distribute a controlled dangerous substance

CR, § 6-202(a): Burglary in the first degree – breaking and entering with intent to commit theft

CR, § 6-203: Burglary in the second degree

CR, § 6-204: Burglary in the third degree

An attempt, conspiracy, or solicitation of any offense listed above is also eligible for expungement under CP, § 10-110