

## Proposed Consensus Amendments for SB11/HB550

10-113. 20

(A) FOR PURPOSES OF THIS SECTION, “PARTIAL EXPUNGEMENT” MEANS THE ABILITY TO EXPUNGE A CHARGE OR CONVICTION THAT IS ELIGIBLE FOR EXPUNGEMENT WHEN TWO OR MORE CHARGES ARISE FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS AND ONE OR MORE OF THE CHARGES ARE NOT ELIGIBLE FOR EXPUNGEMENT UNDER THIS TITLE.

(B) FOR PURPOSES OF THIS SECTION, “AUTOMATED EXPUNGEMENT” MEANS IDENTIFYING ELECTRONIC RECORDS IN THE CENTRAL REPOSITORY, OR ANY SUCCESSOR DATABASE THAT SERVES THE SAME PURPOSE AS THE CENTRAL REPOSITORY, AND:

1. MARKING SUCH RECORDS FOR NON-DISCLOSURE TO THE PUBLIC IN A MANNER CONSISTENT WITH DEFINITIONS OF SHIELDING OR SEALING IN THIS SECTION, OR EXPUNGEMENT AS DEFINED UNDER TITLE 10 OF THE CRIMINAL PROCEDURE ARTICLE, SECTION 112.
2. NOTIFYING THE JUDICIARY AND PROSECUTING AGENCIES WHICH RECORDS HAVE BEEN IDENTIFIED AS ELIGIBLE AND MARKED FOR NON-DISCLOSURE TO THE PUBLIC IN THE CENTRAL REPOSITORY OR ANY SUCCESSOR DATABASE THAT SERVES THE SAME PURPOSE AS THE CENTRAL REPOSITORY.

(C) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES AND THE MARYLAND JUDICIARY MAY NOT ENGAGE IN ANY PROCUREMENT RELATED TO THE CENTRAL REPOSITORY, THE JUDICIAL CASE MANAGEMENT SYSTEM, OR ANY SUCCESSOR DATABASE THAT SERVES THE SAME PURPOSE AS THE CENTRAL REPOSITORY OR JUDICIAL CASE MANAGEMENT SYSTEM, INCLUDING PROCUREMENT OF INFORMATION TECHNOLOGY SERVICES, SUPPLIES, SOFTWARE, OR EQUIPMENT, THAT IS NOT COMPATIBLE WITH THE PARTIAL EXPUNGEMENT OF CHARGES WITHIN A UNIT OF CHARGES OR AUTOMATED EXPUNGEMENT AS DEFINED IN PARAGRAPH (B) OF THIS SECTION.