

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 189
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Moon**” and substitute “**Delegates Moon, Conaway, Kaufman, Simpson, Taylor, and Young**”; in line 3, strike “a provision” and substitute “provisions”; in line 5, after “circumstances” insert “and notification of a certain right to expungement”; and in line 9, after “10–105.1” insert “and 10–105.2”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“10–105.2.

(a) Subject to subsection (b) of this section, after disposition of all charges in a case involving a [criminal offense or a] civil offense under § 5–601(c)(2)(ii) of the Criminal Law Article[, including a must–appear violation of the Transportation Article,] OR A CRIME OTHER THAN A VIOLATION OF THE TRANSPORTATION ARTICLE FOR WHICH THE DEFENDANT IS NOT REQUIRED TO APPEAR, the court shall notify the defendant of the defendant’s right to expungement under § 10–105 of this subtitle if no charge in the case resulted in a disposition other than:

- (1) acquittal;
- (2) dismissal;
- (3) not guilty; or

(4) nolle prosequi, except nolle prosequi with a requirement of drug or alcohol treatment.

(b) (1) If the defendant is not present in court for the disposition, the court shall notify the defendant by mail.

(2) The notice provided under this section shall include a written form for general waiver and release of all tort claims relating to the charge or charges eligible for expungement under § 10–105 of this subtitle.”.