

BY adding to

Article 27 - Crimes and Punishments.
Section 735 through 741, to be under the new
subtitle "IV. Criminal Records"
Annotated Code of Maryland
(1971 Replacement Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Sections 735 through 741, to be under the new subtitle "IV. Criminal Records" be and they are hereby added to Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1971 Replacement Volume and 1974 Supplement) to read as follows:

Article 27 - Crimes and Punishments

IV. CRIMINAL RECORDS

735. DEFINITIONS.

(A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "COURT RECORDS" MEANS ALL OFFICIAL RECORDS MAINTAINED BY THE CLERK OF A COURT OR OTHER COURT PERSONNEL PERTAINING TO A CRIMINAL PROCEEDING. IT INCLUDES INDICES, DOCKET ENTRIES, CHARGING DOCUMENTS, PLEADINGS, MEMORANDA, TRANSCRIPTIONS OF PROCEEDINGS, ELECTRONIC RECORDINGS, ORDERS, JUDGMENTS, AND DECREES. IT DOES NOT INCLUDE RECORDS PERTAINING TO VIOLATIONS OF THE VEHICLE LAWS OF THE STATE OR OF ANY OTHER TRAFFIC LAW, ORDINANCE, OR REGULATION. IT DOES NOT INCLUDE WRITTEN OPINIONS OF A COURT THAT HAVE BEEN PUBLISHED.

(C) "EXPUNGEMENT", WITH RESPECT TO COURT RECORDS OR POLICE RECORDS, MEANS THE EFFECTIVE REMOVAL OF THESE RECORDS FROM PUBLIC INSPECTION,

(1) BY OBLITERATION; OR

(2) BY REMOVAL TO A SEPARATE SECURE AREA TO WHICH THE PUBLIC AND OTHER PERSONS HAVING NO LEGITIMATE REASON FOR BEING THERE ARE DENIED ACCESS; OR

(3) IF EFFECTIVE ACCESS TO A RECORD CAN BE OBTAINED ONLY BY REFERENCE TO OTHER RECORDS, BY THE EXPUNGEMENT OF THE OTHER RECORDS, OR THE PART OF THEM PROVIDING THE ACCESS.

(D) "LAW ENFORCEMENT AGENCY" INCLUDES ANY STATE, COUNTY, AND MUNICIPAL POLICE DEPARTMENT OR AGENCY,