

[2-402.] 2-401.

The Governor may remit the whole or any part of any fine or forfeiture. HOWEVER, A DEFENDANT OR SURETY APPLYING FOR THE REMISSION OF THE WHOLE OR ANY PART OF A RECOGNIZANCE WHICH HAS BEEN FORFEITED SHALL APPLY TO A COURT TO ORDER THE REMISSION IN ACCORDANCE WITH TITLE 4 OF THE MARYLAND RULES, AND NEED NOT APPLY TO THE GOVERNOR TO ORDER THE REMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved May 23, 1996.

CHAPTER 613

(House Bill 288)

AN ACT concerning

Criminal Procedure - Expungement of Records - Revision - Waiver for Nolle Prosequi

FOR the purpose of revising stylistically certain provisions concerning expungement of records relating to criminal charges; prohibiting the expungement of a nolle prosequi until a certain time unless a certain waiver is filed with the petition for expungement; and generally relating to expungement of records of criminal charges.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 737

Annotated Code of Maryland

(1992 Replacement Volume and 1995 Supplement)

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

Article 27 - Crimes and Punishments

737.

(a) A person charged with the commission of a crime may file a petition setting forth the relevant facts and requesting expungement of the police records, court records, and other records maintained by the State of Maryland and its subdivisions, pertaining to the charge if:

- (1) The person is acquitted,
- (2) The charge is otherwise dismissed or quashed,

(3) A judgment of probation [without finding a verdict or probation on stay of entry of] BEFORE judgment is entered,