

[(e)](I) A copy of the petition shall be served on the State's Attorney. Unless the State's Attorney files an objection to the petition within 30 days after it is served on him, the court shall enter an order requiring the expungement of police records and court records pertaining to the charge.

[(f)](J) If the State's Attorney files a timely objection to the petition, the court shall conduct a hearing. If the court finds that the person is entitled to expungement, it shall enter an order requiring the expungement of police records and all court records pertaining to the charge. Otherwise, it shall deny the petition. If the petition is based upon the entry of a judgment of probation [without finding a verdict, probation on stay of entry of judgment] BEFORE JUDGMENT, a nolle prosequi, placement on the stet docket, or a full and unconditional pardon by the Governor, the person is not entitled to expungement if:

(1) He has since been convicted of any crime, other than violations of the State vehicle laws or other traffic laws, ordinances, or regulations not carrying a possible sentence of imprisonment[,]; or

(2) He is then a defendant in a pending criminal proceeding.

[(g)](K) The State's Attorney is a party to the proceeding. Any party aggrieved by the decision of the court has the right of appellate review provided in the Courts and Judicial Proceedings Article.

[(h)](L) Every custodian of the police records and court records subject to the order shall, within 60 days after entry of the order, unless it is stayed pending an appeal, advise the court and the person in writing of compliance with the order.

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

Approved May 23, 1996.

CHAPTER 614

(House Bill 329)

AN ACT concerning

Creation of a State Debt – Caroline County – Town of Greensboro – Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~\$400,000~~ \$100,000, the proceeds to be used as a grant to the Mayor and Town Council of Greensboro and the County Commissioners of Caroline County for certain acquisition, development, or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.