

CHAPTER 399**(House Bill 119)**

AN ACT concerning

Criminal Records – Acquittal by Verdict of Not Criminally Responsible – Prohibited Expungement

FOR the purpose of ~~prohibiting the expungement of a criminal record if the acquittal was eliminating an erroneous reference and repealing a provision of law relating to expungement based on acquittal~~ on the grounds of a verdict of not criminally responsible; ~~providing for the construction of this Act~~; making stylistic changes; and generally relating to the expungement of criminal records.

BY repealing and reenacting, with amendments,
 Article 27 – Crimes and Punishments
 Section 737(a) and (d)
 Annotated Code of Maryland
 (1996 Replacement Volume)

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, ~~UNLESS THE ACQUITTAL WAS ON THE GROUNDS OF A VERDICT OF NOT CRIMINALLY RESPONSIBLE;~~

(2) The charge is otherwise dismissed or quashed[.];

(3) A judgment of probation before judgment is entered[.];

(4) A nolle prosequi is entered[.];

(5) The proceeding is placed on the stet docket[.];

(6) The case is compromised pursuant to Article 27, § 766 of this Code[.];

(7) The person is convicted of only one criminal act, which is not a crime of violence, and is subsequently granted a full and unconditional pardon by the Governor[.]; or

(8) The charge was transferred to juvenile court jurisdiction under § 594A of this article.