

(4) The person is not entitled to expungement if:

(i) the petition is based on the entry of probation before judgment, a nolle prosequi, or a stet, or the grant of a pardon by the Governor; and

(ii) the person:

1. since the full and unconditional pardon or entry, has been convicted of a crime other than a minor traffic violation; or

2. is a defendant in a pending criminal proceeding.

(f) Unless an order is stayed pending an appeal, within 60 days after entry of the order, every custodian of the police records and court records that are subject to the order of expungement shall advise in writing the court and the person who is seeking expungement of compliance with the order.

(g) (1) The State's Attorney is a party to the proceeding.

(2) A party aggrieved by the decision of the court is entitled to appellate review as provided in the Courts Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 25, 2002.

CHAPTER 132

(Senate Bill 118)

AN ACT concerning

Maryland Parole Commission - Powers of the Commission

FOR the purpose of altering the manner in which open parole hearings are to be conducted; requiring open parole hearings to be conducted by a panel of commissioners instead of hearing examiners; and generally relating to the Maryland Parole Commission.

BY repealing and reenacting, with amendments,

Article - Correctional Services

Section 7-205(a) and 7-304

Annotated Code of Maryland

(1999 Volume and 2001 Supplement)

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