

(2) Expungement proceedings ~~FOR AN EXPUNGEMENT UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION~~ shall be conducted in accordance with § 10-105 or § 10-106 of the Criminal Procedure Article.

(3) Upon receipt of an order of expungement, the Director shall purge any DNA record, DNA sample, or other identifiable information covered by the order from the statewide DNA data base system and the statewide DNA repository.

(p) (1) A person who, by virtue of employment or official position, has possession of or access to individually identifiable DNA information contained in the statewide DNA data base system or statewide DNA repository and who willfully discloses that information in any manner to any person or agency not entitled to receive that information is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 3 years or both.

(2) A person who, without authorization, willfully obtains individually identifiable DNA information from the statewide DNA data base system or repository is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 3 years or both.

#### Article 41 - Governor - Executive and Administrative Departments

##### SUBTITLE 3. DNA TECHNOLOGY FUND.

4-301.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DNA" MEANS DEOXYRIBONUCLEIC ACID.

(3) "DNA TECHNOLOGY EQUIPMENT" MEANS ANY EQUIPMENT USED FOR DNA TESTING PURPOSES INCLUDING THOSE PURPOSES LISTED UNDER ARTICLE 88B, § 12A(G)(1) OF THE CODE.

(4) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION.

(5) "FUND" MEANS THE DNA TECHNOLOGY FUND ESTABLISHED UNDER THIS SECTION.

(6) "LOCAL LAW ENFORCEMENT AGENCY" MEANS THE AGENCY OF ANY COUNTY OR MUNICIPAL CORPORATION, INCLUDING BALTIMORE CITY, WITHIN THE STATE THAT PERFORMS POLICE PROTECTION FUNCTIONS.

(B) A DNA TECHNOLOGY FUND IS ESTABLISHED TO ASSIST THE DEPARTMENT OF STATE POLICE AND LOCAL LAW ENFORCEMENT AGENCIES IN ACQUIRING DNA TECHNOLOGY EQUIPMENT NEEDED TO TEST DNA SAMPLES.

(C) (1) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE FUND IN ACCORDANCE WITH THIS SECTION AND OTHER APPLICABLE LAW.