

Article 27 - Crimes and Punishments**594A.**

(a) In any case, except as provided in subsection (b), involving a child who has reached 14 years of age but has not reached 18 years of age at the time of any alleged offense excluded under the provisions of [§ 3-804(e)(1) or (4)] § 3-804(E)(1), (4), OR (5) of the Courts and Judicial Proceedings Article, the court exercising jurisdiction may transfer the case to the juvenile court if a waiver is believed to be in the interests of the child or society.

(b) The court may not transfer a case to the juvenile court under subsection (a) if:

(1) The child has previously been waived to juvenile court and adjudicated delinquent;

(2) The child was convicted in another unrelated case excluded from the jurisdiction of the juvenile court under § 3-804(e)(1) or (4) of the Courts and Judicial Proceedings Article; or

(3) The alleged offense is murder in the first degree and the accused child is 16 or 17 at the time the alleged offense was committed.

743.

(a) As used in this subtitle, the following words have the meanings indicated.

(e) "Criminal history record information" means data initiated or collected by a criminal justice agency on a person pertaining to a reportable event and includes data from an agency that is required to report to the central repository under Title 12 of the Health - General Article. The term does not include:

(1) Data contained in intelligence or investigatory files or police work-product records used solely for police investigation purposes;

(2) Data pertaining to a proceeding under Subtitle 8 of Title 3 of the Courts Article (Juvenile Causes), but it does include:

(i) Data pertaining to a person following waiver of jurisdiction by a juvenile court; and

(ii) Information described under § 747(a)(21) AND (22) and § 747A of this subtitle;

(3) Wanted posters, police blotter entries, court records of public judicial proceedings, or published court opinions;

(4) Data pertaining to violations of the traffic laws of the State or any other traffic law, ordinance, or regulation, or violations of any local ordinances, or any State or local regulations, or violations of the Natural Resources Article or public local laws;