

SB0173/393328/1

BY: Judiciary Committee

AMENDMENTS TO SENATE BILL 173
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “a provision” and substitute “provisions”; in line 5, after “circumstances” insert “and notification of a certain right to expungement”; and in line 9, after “10–105.1” insert “and 10–105.2”.

AMENDMENT NO. 2

On page 2, after line 15, insert:

“10–105.2.

(a) Subject to subsection (b) of this section, after disposition of all charges in a case involving a [criminal offense or a] civil offense under § 5–601(c)(2)(ii) of the Criminal Law Article[, including a must–appear violation of the Transportation Article,] OR A CRIME OTHER THAN A VIOLATION OF THE TRANSPORTATION ARTICLE FOR WHICH THE DEFENDANT IS NOT REQUIRED TO APPEAR, the court shall notify the defendant of the defendant’s right to expungement under § 10–105 of this subtitle if no charge in the case resulted in a disposition other than:

(1) acquittal;

(2) dismissal;

(3) not guilty; or

(4) nolle prosequi, except nolle prosequi with a requirement of drug or alcohol treatment.

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(b) (1) If the defendant is not present in court for the disposition, the court shall notify the defendant by mail.

(2) The notice provided under this section shall include a written form for general waiver and release of all tort claims relating to the charge or charges eligible for expungement under § 10–105 of this subtitle.”.