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Judicial Proceedings Committee

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Senate Judicial Proceedings Committee

The Honorable William C. Smith Jr.

2 East Miller Senate Building

Annapolis, Maryland 21401

**RE: SB 356 – Criminal Procedure – Expungement – Entitlement**

Dear Chairman Smith and Members of the Committee,

In many situations, a person is eligible to have all police records and court records of an offense expunged, but in there are exceptions. Senate Bill 356 creates two additional exceptions.

First, a person would NOT be entitled to an expungement if the court ordered the person to register as a sex offender under Title 11, Subtitle 7 of the Criminal Law Article in connection with the disposition of the charge on which the petition to expunge is based.

Second, a person would NOT be entitled to an expungement if the person has not satisfied an obligation to pay court costs, fines or restitution that the court imposed in connection with the disposition of the charge on which the petition to expunge is based.

So if the petitioner for an expungement had been ordered to register as a sex offender or if the petitioner has not yet paid the court costs, fines or restitution ordered by the court, the petitioner will NOT be entitled to expungement.

I appreciate the Committee's consideration of Senate Bill 356 and will be happy to answer any follow-up questions the Committee mat have.