

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 79  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “records;” insert “authorizing the court to grant a certain petition for expungement without a hearing under certain circumstances;”; and in line 10, after “authorizing” insert “and requiring”;

AMENDMENT NO. 2

On page 2, strike beginning with “MEANS” in line 4 down through “BOTH” in line 6 and substitute “HAS THE MEANING STATED IN § 10-101 OF THE CRIMINAL PROCEDURE ARTICLE”; in line 7, strike “DELINQUENCY”; in the same line, strike “INCLUDES” and substitute “MEANS”; in line 8, strike the first comma and substitute “AND”; in the same line, strike “, AND STATE’S ATTORNEY’S RECORD” and substitute “CONCERNING A CHILD ALLEGED OR ADJUDICATED DELINQUENT OR IN NEED OF SUPERVISION OR WHO HAS RECEIVED A CITATION FOR A VIOLATION”; in lines 10 and 11, in each instance, strike “DELINQUENCY”; and in line 11, after “PETITION” insert “OR CITATION”.

AMENDMENT NO. 3

On page 2, in line 14, strike “DELINQUENCY”; after line 15, insert:

- “(1) (I) THE STATE’S ATTORNEY ENTERS A NOLLE PROSEQUI;
- (II) THE PETITION IS DISMISSED;
- (III) THE COURT, IN AN ADJUDICATORY HEARING, DOES NOT FIND THAT THE ALLEGATIONS IN THE PETITION ARE TRUE;

(Over)

**(IV) THE ADJUDICATORY HEARING IS NOT HELD WITHIN TWO YEARS AFTER A PETITION IS FILED; OR**

**(V) THE COURT, IN A DISPOSITION HEARING, FINDS THAT THE PERSON DOES OR DOES NOT REQUIRE GUIDANCE, TREATMENT, OR REHABILITATION;**”;

in lines 16, 19, 21, 23, 25, and 28, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively; in line 18, strike “DELINQUENCY”; in line 19, after “HAS” insert “NOT”; in the same line strike “NOT”; and in line 29, after the semicolon insert:

**“(8) THE PERSON HAS NOT BEEN ADJUDICATED DELINQUENT FOR AN OFFENSE INVOLVING THE USE OF A FIREARM, AS DEFINED IN § 5-101 OF THE PUBLIC SAFETY ARTICLE, IN THE COMMISSION OF A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE;**”.

**AMENDMENT NO. 4**

On page 3, in line 1, strike “(7)” and substitute “(9)”; in line 19, strike the first comma and substitute “AND”; strike beginning with the second comma in line 19 down through “RECORDS” in line 20; in line 20, strike “PROCEEDINGS” and substitute “OR CHILD IN NEED OF SUPERVISION PETITION OR THE CITATION”; in line 28, strike “POLICE AND COURT” and substitute “JUVENILE”; in line 32, strike “RECORDS” and substitute “;”;

**(1) RECORDS;**

and in line 33, after “ARTICLE” insert “;OR”

**(2) RECORDS MAINTAINED BY A LAW ENFORCEMENT AGENCY FOR THE SOLE PURPOSE OF COLLECTING STATISTICAL INFORMATION CONCERNING JUVENILE DELINQUENCY AND THAT DO NOT CONTAIN ANY INFORMATION THAT WOULD REVEAL THE IDENTITY OF A PERSON”.**