E2 0lr2762

By: Delegate Conaway

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning 2 Criminal Procedure - Expungement - Explanation of Unit Rule 3 FOR the purpose of requiring a certain attorney to provide a certain explanation to a certain defendant regarding a certain provision of law relating to expungement under 4 5 certain circumstances at a certain time; and generally relating to expungement. 6 BY repealing and reenacting, with amendments, 7 Article - Criminal Procedure 8 Section 10–107 9 Annotated Code of Maryland 10 (2018 Replacement Volume and 2019 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 11 12 That the Laws of Maryland read as follows: Article - Criminal Procedure 13 10-107.14 15 (a) In this subtitle, if two or more charges, other than one for a minor traffic violation, arise from the same incident, transaction, or set of facts, they are considered to 16 17 be a unit. 18 (2)A charge for a minor traffic violation that arises from the same incident, 19 transaction, or set of facts as a charge in the unit is not a part of the unit. 20 If a person is not entitled to expungement of one charge or conviction in (b) 21a unit, the person is not entitled to expungement of any other charge or conviction in the

The disposition of a charge for a minor traffic violation that arises from

(2)



- the same incident, transaction, or set of facts as a charge in the unit does not affect any right to expungement of a charge or conviction in the unit.
- 3 (C) IN A CRIMINAL CASE IN WHICH THE DEFENDANT IS CHARGED WITH 4 MULTIPLE OFFENSES, BEFORE THE DEFENDANT ENTERS INTO ANY PLEA 5 AGREEMENT, AN ATTORNEY REPRESENTING THE DEFENDANT SHALL EXPLAIN THE 6 MEANING AND POTENTIAL CONSEQUENCES OF SUBSECTIONS (A) AND (B) OF THIS 5 SECTION TO THE DEFENDANT.
- 8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 9 October 1, 2020.