

SENATE BILL 762

E4

5lr3322
CF 5lr3317

By: **Senator McKay**

Introduced and read first time: January 27, 2025

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement – Records of Administrative Investigation – Expungement**

3 FOR the purpose of requiring a certain record relating to an administrative investigation
4 of misconduct by a police officer to be expunged under certain circumstances; and
5 generally relating to expungement of records of administrative investigation of
6 misconduct by a police officer.

7 BY repealing and reenacting, with amendments,
8 Article – Public Safety
9 Section 3–112
10 Annotated Code of Maryland
11 (2022 Replacement Volume and 2024 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Public Safety**

15 3–112.

16 (A) [A] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION**, A record
17 relating to an administrative or criminal investigation of misconduct by a police officer,
18 including an internal affairs investigatory record, a hearing record, and records relating to
19 a disciplinary decision, may not be:

20 (1) expunged; or

21 (2) destroyed by a law enforcement agency.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) FOR A MATTER REVIEWED BY AN ADMINISTRATIVE CHARGING**
2 **COMMITTEE, A RECORD RELATING TO AN ADMINISTRATIVE INVESTIGATION OF**
3 **MISCONDUCT BY A POLICE OFFICER, INCLUDING THE COMPLAINT OF MISCONDUCT,**
4 **SHALL BE EXPUNGED 3 YEARS AFTER THE ADMINISTRATIVE CHARGING COMMITTEE**
5 **DETERMINES THAT THE POLICE OFFICER WILL NOT BE ADMINISTRATIVELY**
6 **CHARGED.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2025.