

EMERGENCY BILL

E4

7lr0954

By: Chairman, Judiciary Committee (Departmental - Public Safety and Correctional Services)

Introduced and read first time: January 15, 1997

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: February 4, 1997

CHAPTER _____

1 AN ACT concerning

2 **Criminal Injuries Compensation - Acts of Terrorism**

3 FOR the purpose of expanding the definition of the term "crime" in the Criminal Injuries
4 Compensation law to include certain terrorist acts committed in a foreign country
5 against a resident of Maryland; and making this Act an emergency measure.

6 BY repealing and reenacting, with amendments,
7 Article 27 - Crimes and Punishments
8 Section 815
9 Annotated Code of Maryland
10 (1996 Replacement Volume)

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

13 **Article 27 - Crimes and Punishments**

14 815.

15 (a) In this subheading the following words have the meanings indicated.

16 (b) "Board" means the Criminal Injuries Compensation Board.

17 (c) "Claimant" means the person filing a claim pursuant to this article.

18 (d) (1) Except as provided in paragraph (2) of this subsection, "crime" means
19 an act:

20 (i) Committed by any person in this State which is a criminal offense
21 under State, federal, or common law;

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1 (ii) Committed in another state against a resident of this State which is
2 a criminal offense under State, federal, or common law;

3 (iii) ~~COMMITTED IN A FOREIGN COUNTRY~~ OUTSIDE OF THE
4 UNITED STATES AGAINST A RESIDENT OF THIS STATE WHICH IS ~~A TERRORIST ACT~~
5 AN ACT OF INTERNATIONAL TERRORISM AS DEFINED IN TITLE 18, § 2331 OF THE
6 UNITED STATES CODE;

7 (IV) Of operating a motor vehicle in violation of § 21-902(a), (b), (c), or
8 (d) of the Transportation Article; or

9 [(iv)] (V) Of operating a motor vehicle or vessel which results in injury
10 which was intentionally inflicted.

11 (2) Except as provided in paragraph (1)[(iii) and] (iv) AND (V) of this
12 subsection, "crime" does not include an act involving the operation of a vessel or motor
13 vehicle.

14 (e) "Family" when used with reference to a person, means:

15 (1) Any person related to such person within the third degree of
16 consanguinity or affinity;

17 (2) Any person maintaining a sexual relationship with such person; or

18 (3) Any person residing in the same household with such person.

19 (f) "Victim" means a person who suffers:

20 (1) Personal physical injury or death as a result of a crime; or

21 (2) Psychological injury as a direct result of:

22 (i) First or second degree rape; or

23 (ii) A first, second, third, or fourth degree sexual offense.

24 (g) "Secretary" means the Secretary of Public Safety and Correctional Services or
25 the Secretary's designee.

26 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
27 ~~October 1, 1997.~~

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
29 measure, is necessary for the immediate preservation of the public health and safety, has
30 been passed by a yea and nay vote supported by three-fifths of all the members elected to
31 each of the two Houses of the General Assembly, and shall take effect from the date it is
32 enacted.

