

# HOUSE BILL 543

E2  
HB 261/09 – JUD

0lr2254  
CF SB 219

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By: **Delegates Frank, Aumann, Bates, Boteler, Eckardt, George, Haddaway, Jenkins, Jennings, Krebs, McComas, McConkey, Morhaim, Myers, Norman, O'Donnell, Ramirez, Shank, Shewell, Simmons, Smigiel, Sossi, Stifler, and Stull**

Introduced and read first time: February 2, 2010  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Criminal Injuries Compensation Board – Claimant**  
3 **Confidentiality and Eligibility**

4 FOR the purpose of prohibiting the disclosure of the identity or contact information of  
5 a certain victim or claimant by the Criminal Injuries Compensation Board;  
6 prohibiting a person who has been convicted of certain offenses from receiving a  
7 certain award from the Board; and generally relating to the Criminal Injuries  
8 Compensation Board.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Procedure  
11 Section 11–806 and 11–808(a)  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2009 Supplement)

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

16 **Article – Criminal Procedure**

17 11–806.

18 (a) Except as provided under [subsection (b)] **SUBSECTIONS (B) AND (C)** of  
19 this section, the record of a proceeding before the Board or a Board member is a public  
20 record.



1 (b) If the confidentiality of a record or report that the Board obtains is  
2 protected by law or regulation, the record or report shall remain confidential, subject  
3 to the law or regulation.

4 (c) **THE BOARD MAY NOT ALLOW THE INSPECTION, USE, OR**  
5 **DISCLOSURE OF A NAME, ADDRESS, TELEPHONE NUMBER, OR SOCIAL SECURITY**  
6 **NUMBER PROVIDED TO THE BOARD FOR A VICTIM OR A CLAIMANT WHO IS A**  
7 **VICTIM OF A SEXUAL OFFENSE UNDER TITLE 3, SUBTITLE 3 OF THE CRIMINAL**  
8 **LAW ARTICLE.**

9 11-808.

10 (a) (1) Except as provided in paragraph (2) of this subsection, the  
11 following persons are eligible for awards in the manner provided under this subtitle:

12 (i) a victim;

13 (ii) a dependent of a victim who died as a direct result of:

14 1. a crime or delinquent act;

15 2. trying to prevent a crime or delinquent act or an  
16 attempted crime or delinquent act from occurring in the victim's presence or trying to  
17 apprehend a person who had committed a crime or delinquent act in the victim's  
18 presence or had committed a felony or a delinquent act that would be considered a  
19 felony if committed by an adult; or

20 3. helping a law enforcement officer perform the officer's  
21 duties or helping a member of a fire department who is obstructed from performing  
22 the member's duties;

23 (iii) any person who paid or assumed responsibility for the  
24 funeral expenses of a victim who died as a direct result of:

25 1. a crime or delinquent act;

26 2. trying to prevent a crime or delinquent act or an  
27 attempted crime or delinquent act from occurring in the victim's presence or trying to  
28 apprehend a person who had committed a crime or delinquent act in the victim's  
29 presence or had committed a felony; or

30 3. helping a law enforcement officer perform the officer's  
31 duties or helping a member of a fire department who is obstructed from performing  
32 the member's duties; and

33 (iv) 1. a parent, child, or spouse of a victim who resides with  
34 the victim; or



