

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 118

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “providing that a resident of this State who is the victim of a crime in another state is eligible for an award if the other state operates a criminal injuries compensation program for which funds have not been appropriated or made available; establishing certain time limitations for notifying a claimant, reviewing and evaluating certain claims and decisions, and reporting certain recommendations concerning criminal injuries compensation; establishing and increasing the maximum amount of compensation for certain claims;”.

AMENDMENT NO. 2

On page 1, in line 11, after “Section” insert “819(c), 822, and”; and after line 13, insert:

“BY adding to

Article 27 - Crimes and Punishments

Section 820(d)

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)”.

AMENDMENT NO. 3

On page 1, after line 16, insert:

“819.

(c) Any resident of the State is eligible for an award if the resident:

(1) Meets the requirements of this subheading; or

(2) Becomes a victim of a crime in a state other than Maryland that:

(Over)

(i) Does not operate a criminal injuries compensation program; [or]

(ii) Operates a criminal injuries compensation program for which the victim is ineligible; OR

(III) OPERATES A CRIMINAL INJURIES COMPENSATION PROGRAM FOR WHICH FUNDS HAVE NOT BEEN APPROPRIATED OR MADE AVAILABLE.

820.

(D) THE BOARD SHALL NOTIFY THE CLAIMANT WITHIN 10 DAYS AFTER RECEIPT OF THE CLAIM.

822.

(A) WITHIN 30 DAYS AFTER THE RECEIPT OF A CLAIM, THE BOARD SHALL NOTIFY THE CLAIMANT IF ADDITIONAL MATERIAL IS REQUIRED.

(B) (1) [Upon completing] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WITHIN 90 DAYS AFTER THE RECEIPT OF A CLAIM AND ALL NECESSARY SUPPORTING MATERIAL, THE BOARD SHALL:

(I) COMPLETE the review and evaluation process on each claim[, the Board shall file]; AND

(II) FILE with the Secretary a written report setting forth the decision and the reasons in support of the decision.

(2) FOR GOOD CAUSE SHOWN, FOR A PERIOD NOT TO EXCEED 1 YEAR THE BOARD MAY EXTEND THE TIME TO FILE ITS REPORT WITH THE SECRETARY AFTER RECEIPT OF THE CLAIM AND ALL NECESSARY SUPPORTING MATERIAL UNTIL THE FIRST TO OCCUR OF THE FOLLOWING EVENTS:

(I) THE CLAIMANT NO LONGER HAS EXPENSES RELATED TO THE CRIME; OR

(II) THE CLAIMANT HAS BEEN AWARDED THE MAXIMUM AMOUNT AUTHORIZED UNDER § 825 OF THIS SUBHEADING.

(C) [After reviewing the records,] WITHIN 30 DAYS AFTER THE RECEIPT OF A WRITTEN REPORT FROM THE BOARD, the Secretary shall modify, affirm, or reverse the decision of the Board. The action of the Secretary in affirming, modifying, or reversing the decision of the Board shall be final. The claimant shall be furnished with a copy of the final report upon request.”.

On page 2, in line 21, strike “\$2,000” and substitute “\$5,000”; in line 37, after “(2)” insert “(I)”; and after line 39, insert:

“(II) AN AWARD FOR FUNERAL EXPENSES MAY BE IN AN AMOUNT NOT TO EXCEED \$5,000.”.

AMENDMENT NO. 4

On page 4, after line 16, insert:

“(2) Determine whether other reasonable expenses incurred by victims and their families should be compensated, including mental health counseling for family and household members;”;

in line 17, strike “(2)” and substitute “(3)”; in the same line, after “models” insert “and any other changes”; and in line 19, strike “(3)” and substitute “(4)”.