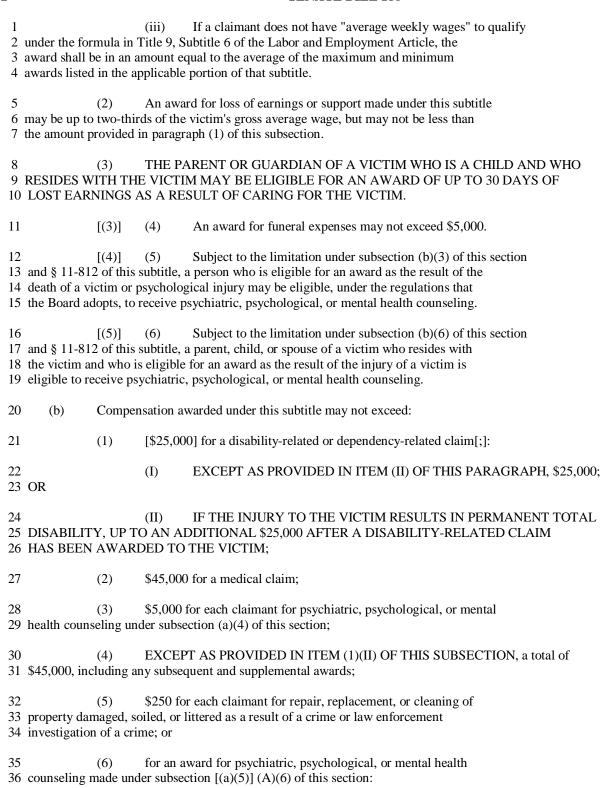
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27 years.

2003 Regular Session 3lr0097

By: Chairman, Judicial Proceedings Committee (By Request -**Departmental - Public Safety and Correctional Services)** Introduced and read first time: January 27, 2003 Rules suspended Assigned to: Judicial Proceedings A BILL ENTITLED 1 AN ACT concerning 2 Criminal Injuries Compensation - Awards for Lost Earnings and Injury 3 **Resulting in Permanent Total Disability** 4 FOR the purpose of making certain victims eligible for certain awards from the Criminal Injuries Compensation Fund that relate to lost earnings by a parent or 5 guardian of a child victim under certain circumstances and to individuals who 6 7 are awarded a certain disability claim; and generally relating to the Criminal 8 Injuries Compensation Board and Fund. 9 BY repealing and reenacting, with amendments, 10 Article - Criminal Procedure 11 Section 11-811 12 Annotated Code of Maryland 13 (2001 Volume and 2002 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 14 15 MARYLAND, That the Laws of Maryland read as follows: **Article - Criminal Procedure** 16 17 11-811. 18 Except as otherwise provided in this subsection, an award (a) (1) (i) 19 under this subtitle shall be made in accordance with the schedule of benefits, as it 20 existed on January 1, 2001, and degree of disability as specified in Title 9, Subtitle 6 21 of the Labor and Employment Article and any other applicable provisions of the Labor 22 and Employment Article, except for Title 9, Subtitle 8 of the Labor and Employment 23 Article. 24 For determining the amount of an award under this subtitle, (ii) 25 the term "average weekly wages" does not include tips, gratuities, and wages that are 26 undeclared on the claimant's State or federal income tax returns for the applicable

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- 1 (i) \$1,000 for each claimant; and 2 (ii) \$5,000 for each incident. 3 An award made under this subtitle shall be reduced by the amount of any 4 payments received or to be received as a result of the injury: 5 from or on behalf of the offender; (1) 6 from any other public or private source, including an award of the 7 State Workers' Compensation Commission under the Maryland Workers' 8 Compensation Act; or 9 as an emergency award under § 11-813 of this subtitle. (3) 10 If there are two or more persons entitled to an award as a result of the 11 death of a victim, the award shall be apportioned among the claimants.
- 12 (e) The Board may negotiate a settlement with a health care provider for the 13 medical and medically related expenses.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take 15 effect October 1, 2003.