
By: **Delegate Montgomery**
Introduced and read first time: February 13, 2004
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Injuries Compensation Fund - Claims after Discovery of Body**

3 FOR the purpose of authorizing a claimant for an award from the Criminal Injuries
4 Compensation Fund in a murder case to file a claim up to 5 years after the
5 discovery of the body of the victim; providing for the application of this Act; and
6 generally relating to claims to the Criminal Injuries Compensation Fund.

7 BY repealing and reenacting, without amendments,
8 Article - Criminal Procedure
9 Section 11-801(a), (c), and (f) and 11-808(a) and (c)
10 Annotated Code of Maryland
11 (2001 Volume and 2003 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Criminal Procedure
14 Section 11-809(a)
15 Annotated Code of Maryland
16 (2001 Volume and 2003 Supplement)

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

19 **Article - Criminal Procedure**

20 11-801.

21 (a) In this subtitle the following words have the meanings indicated.

22 (c) "Claimant" means the person filing a claim under this subtitle.

23 (f) "Victim" means a person:

24 (1) who suffers physical injury or death as a result of a crime or
25 delinquent act;

1 (2) who suffers psychological injury as a direct result of:

2 (i) a fourth degree sexual offense or a delinquent act that would be
3 a fourth degree sexual offense if committed by an adult;

4 (ii) a felony or a delinquent act that would be a felony if committed
5 by an adult; or

6 (iii) physical injury or death directly resulting from a crime or
7 delinquent act; or

8 (3) who suffers physical injury or death as a direct result of:

9 (i) trying to prevent a crime or delinquent act or an attempted
10 crime or delinquent act from occurring in the person's presence;

11 (ii) trying to apprehend an offender who had committed a crime or
12 delinquent act in the person's presence or had committed a felony or a delinquent act
13 that would be a felony if committed by an adult; or

14 (iii) helping a law enforcement officer in the performance of the
15 officer's duties or helping a member of a fire department who is being obstructed from
16 performing the member's duties.

17 11-808.

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

20 (i) a victim;

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

22 1. a crime or delinquent act;

23 2. trying to prevent a crime or delinquent act or an
24 attempted crime or delinquent act from occurring in the victim's presence or trying to
25 apprehend a person who had committed a crime or delinquent act in the victim's
26 presence or had committed a felony or a delinquent act that would be considered a
27 felony if committed by an adult; or

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

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

33 1. a crime or delinquent act;

