

**Department of Legislative Services**  
Maryland General Assembly  
2004 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 44 (Chairman, Judicial Proceedings Committee)  
(By Request – Departmental – Public Safety and Correctional Services)  
Judicial Proceedings Judiciary

---

**Criminal Injuries Compensation Board - Emergency Award**

---

This departmental bill increases the amount payable as an emergency award from the Criminal Injuries Compensation Fund from \$1,000 to \$2,000. The bill also provides that, upon a written request by a claimant, and for compelling reason, the Criminal Injuries Compensation Board may waive the requirement that a claimant repay all or part of an emergency award.

---

**Fiscal Summary**

**State Effect:** None. Because an emergency award would continue, generally, to be an advance on a claim award, and is subtracted from the final award, increasing the allowable emergency award cap should have a negligible effect on the operations and finances of the board and fund.

**Local Effect:** None.

**Small Business Effect:** The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

---

**Analysis**

**Current Law:** The Criminal Injuries Compensation Board may make an emergency award to a claimant prior to making a decision in the claimant's case up to \$1,000, if the board determines that: (1) an award will likely be made on the claim; and (2) the

claimant will suffer undue hardship unless immediate payment is made. The amount of such an emergency award must be deducted from any final award to the claimant.

A claimant must repay the board: (1) any excess of the emergency award over the final award; or (2) if a final award is not made, the entire emergency award.

**Background:** The Criminal Injuries Compensation Fund, a nonreverting special fund, had a fiscal year end balance of about \$2.6 million on June 30, 2003. Under provisions of the federal Victims of Crimes Act, the federal government reimburses states 60% of victims' awards actually paid during the prior fiscal year.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Board of Public Works, Department of Public Safety and Correctional Services (Criminal Injuries Compensation Board), Department of Legislative Services

**Fiscal Note History:** First Reader - January 15, 2004  
n/jr Revised - Updated Information - February 9, 2004

---

Analysis by: Guy G. Cherry

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510