

HB0264/148477/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 264
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Confidentiality” insert “and Eligibility”; in line 7, after “Board” insert “; providing that a person who has been convicted of certain offenses is not eligible to receive a certain award from the Criminal Injuries Compensation Board”; and in line 11, after “11-806” insert “and 11-808(a)”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“11-808.

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

(i) a victim;

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

1. a crime or delinquent act;

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

(Over)

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

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

1. a crime or delinquent act;

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

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

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

2. a parent, child, or spouse of an individual who is incarcerated for abuse as defined in § 4-501 of the Family Law Article and who, prior to incarceration:

A. resided with the parent, child, or spouse; and

B. provided financial support to the parent, child, or spouse.

(2) [A] THE FOLLOWING PERSONS ARE NOT ELIGIBLE FOR AN AWARD UNDER THIS SUBTITLE:

(I) A person who commits the crime or delinquent act that is the basis of a claim, or an accomplice of the person, is not eligible to receive an award with respect to [the] THAT claim; AND

(II) A PERSON WHO HAS EVER BEEN CONVICTED OF:

1. MURDER OR ATTEMPTED MURDER UNDER § 2-201, § 2-204, § 2-205, OR § 2-206 OF THE CRIMINAL LAW ARTICLE;

2. ASSAULT UNDER § 3-202 OR § 3-203 OF THE CRIMINAL LAW ARTICLE;

3. ATTEMPTED POISONING UNDER § 3-212 OF THE CRIMINAL LAW ARTICLE;

4. CONTAMINATING A WATER SUPPLY OR FOOD OR DRINK UNDER § 3-214 OF THE CRIMINAL LAW ARTICLE;

5. A VIOLATION OF § 3-303 (RAPE IN THE FIRST DEGREE), § 3-304(A)(1) OR (2) (RAPE IN THE SECOND DEGREE), § 3-305 (SEXUAL OFFENSE IN THE FIRST DEGREE), OR § 3-306(A)(1) OR (2) (SEXUAL OFFENSE IN THE SECOND DEGREE) OF THE CRIMINAL LAW ARTICLE;

6. ROBBERY UNDER § 3-402 OR § 3-403 OF THE CRIMINAL LAW ARTICLE;

7. CARJACKING UNDER § 3-405 OF THE CRIMINAL LAW ARTICLE;

- 8. KIDNAPPING UNDER § 3-502 OF THE CRIMINAL LAW ARTICLE;**
- 9. CHILD KIDNAPPING UNDER § 3-503 OF THE CRIMINAL LAW ARTICLE;**
- 10. CHILD ABUSE UNDER § 3-601 OF THE CRIMINAL LAW ARTICLE;**
- 11. DISARMING A LAW ENFORCEMENT OFFICER UNDER § 4-103 OF THE CRIMINAL LAW ARTICLE;**
- 12. A WEAPONS OFFENSE UNDER § 4-404 OR § 5-622 OF THE CRIMINAL LAW ARTICLE;**
- 13. A CONTROLLED DANGEROUS SUBSTANCE OFFENSE UNDER § 5-613 OF THE CRIMINAL LAW ARTICLE;**
- 14. ARSON UNDER § 6-102 OR § 6-103 OF THE CRIMINAL LAW ARTICLE;**
- 15. MALICIOUS BURNING OF PROPERTY UNDER § 6-104 OF THE CRIMINAL LAW ARTICLE;**
- 16. BURGLARY UNDER § 6-202 OR § 6-203 OF THE CRIMINAL LAW ARTICLE;**
- 17. A FELONY VIOLATION OF § 9-303 (RETALIATION AGAINST VICTIM OR WITNESS TESTIFYING) OR § 9-305 (VICTIM, WITNESS, JUROR, OR COURT OFFICER INTIMIDATION) OF THE CRIMINAL LAW ARTICLE;**

18. ESCAPE UNDER § 9-404 OF THE CRIMINAL LAW
ARTICLE; AND

19. A VIOLATION OF TITLE 20, SUBTITLE 6 (FEMALE
GENITAL MUTILATION) OF THE HEALTH - GENERAL ARTICLE.”.