

SENATE BILL 767

E2

8lr3060
CF HB 1451

By: **Senator Ready**

Introduced and read first time: February 5, 2018

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: April 1, 2018

CHAPTER _____

1 AN ACT concerning

2 **Criminal Injuries Compensation – Acts Involving Operation of Vessel or Motor**
3 **Vehicle**

4 FOR the purpose of making victims of certain crimes involving the operation of a vessel or
5 motor vehicle eligible for payment of a claim through the Criminal Injuries
6 Compensation Board; providing for the prospective application of this Act; and
7 generally relating to the Criminal Injuries Compensation Board.

8 BY repealing and reenacting, without amendments,
9 Article – Criminal Procedure
10 Section 11–801(a)
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Criminal Procedure
15 Section 11–801(d)
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2017 Supplement)

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

20 **Article – Criminal Procedure**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 11-801.

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

3 (d) (1) "Crime" means:

4 (i) except as provided in paragraph (2) of this subsection, a criminal
5 offense under state, federal, or common law that is committed in:

6 1. this State; or

7 2. another state against a resident of this State; or

8 (ii) an act of international terrorism as defined in Title 18, § 2331 of
9 the United States Code that is committed outside of the United States against a resident
10 of this State.

11 (2) "Crime" does not include an act involving the operation of a vessel or
12 motor vehicle unless the act is:

13 (i) a violation of § 20-102, § 20-104, § 21-902, or § 21-904 of the
14 Transportation Article;

15 (ii) a violation of § 8-738 of the Natural Resources Article; [or]

16 (iii) **A VIOLATION OF THE CRIMINAL LAW ARTICLE;**

17 (IV) operating a motor vehicle or vessel that results in an intentional
18 injury; **OR**

19 (V) **A VIOLATION OF FEDERAL LAW OR THE LAW OF ANOTHER**
20 **STATE THAT IS SUBSTANTIALLY EQUIVALENT TO A VIOLATION UNDER THIS**
21 **PARAGRAPH, AS REQUIRED UNDER 34 U.S.C. § 20102(B)(5) AND (6).**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
23 apply only prospectively and may not be applied or interpreted to have any effect on or
24 application to any final decision of the Secretary of Public Safety and Correctional Services,
25 for which the time for appeal of the decision has expired, made before the effective date of
26 this Act.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2018.