E2 9lr2325 CF SB 672

By: Delegates W. Fisher, J. Lewis, Crosby, Crutchfield, D.E. Davis, M. Fisher, Jackson, Kelly, Malone, Moon, Turner, and Valentino-Smith

Introduced and read first time: February 8, 2019

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2019

CHA) U

1 AN ACT concerning

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Criminal Injuries Compensation Board - Compensation to Claimants

3 FOR the purpose of altering the maximum amounts of certain compensation awardable by 4 the Criminal Injuries Compensation Board; authorizing the Board to negotiate a 5 settlement with a certain person that has provided certain funeral or death-related 6 services; altering the time within which a claimant is required to file a claim for 7 compensation from the Board; authorizing a claimant to file a claim with the Board 8 electronically in a certain manner; prohibiting certain persons from engaging in 9 certain debt collection activities under certain circumstances; requiring a court to 10 stay all proceedings in a certain action under certain circumstances; authorizing a 11 certain person that receives a certain notice to notify the Board in writing of a certain 12 debt that is owed by a certain claimant; requiring the Board to notify a certain person 13 in writing when a final decision is made on a claim under certain circumstances; 14 authorizing a certain person to engage in certain debt collection activities or file a 15 civil action under certain circumstances until the occurrence of a certain event; altering a certain definition; making certain stylistic changes; correcting an 16 17 erroneous reference; providing for the application of certain provisions of this Act; 18 providing for a delayed effective date; and generally relating to compensation to 19 claimants by the Criminal Injuries Compensation Board.

20 BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 11–809(a), (b)(1), and (c)(1), (2), (3), (5), and (6), 11–811(a)(4), (b)(3) and (6), and (e), and 11–813(b)(1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

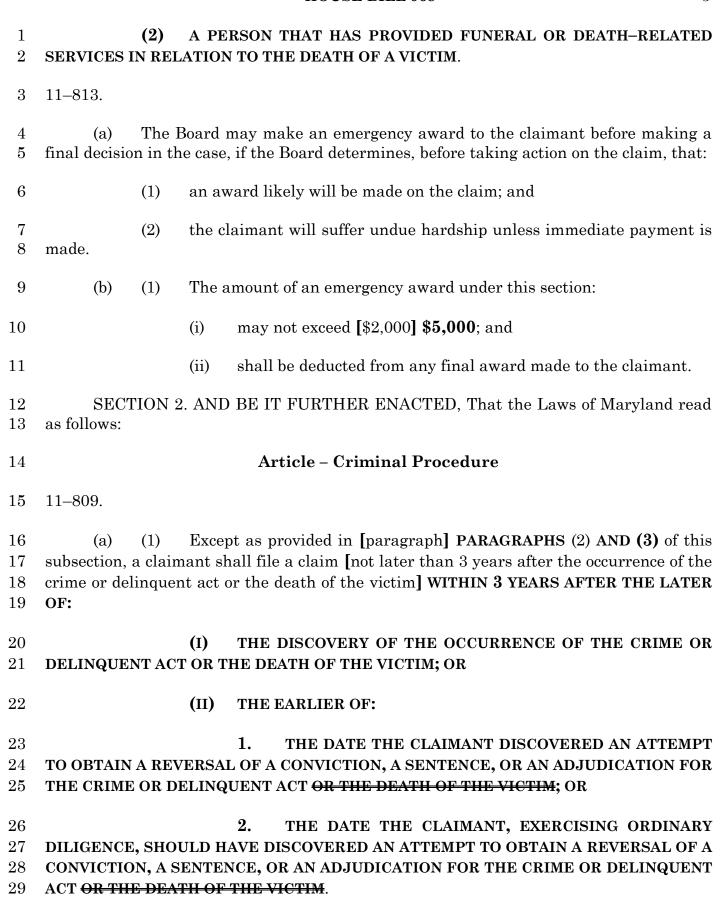
[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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



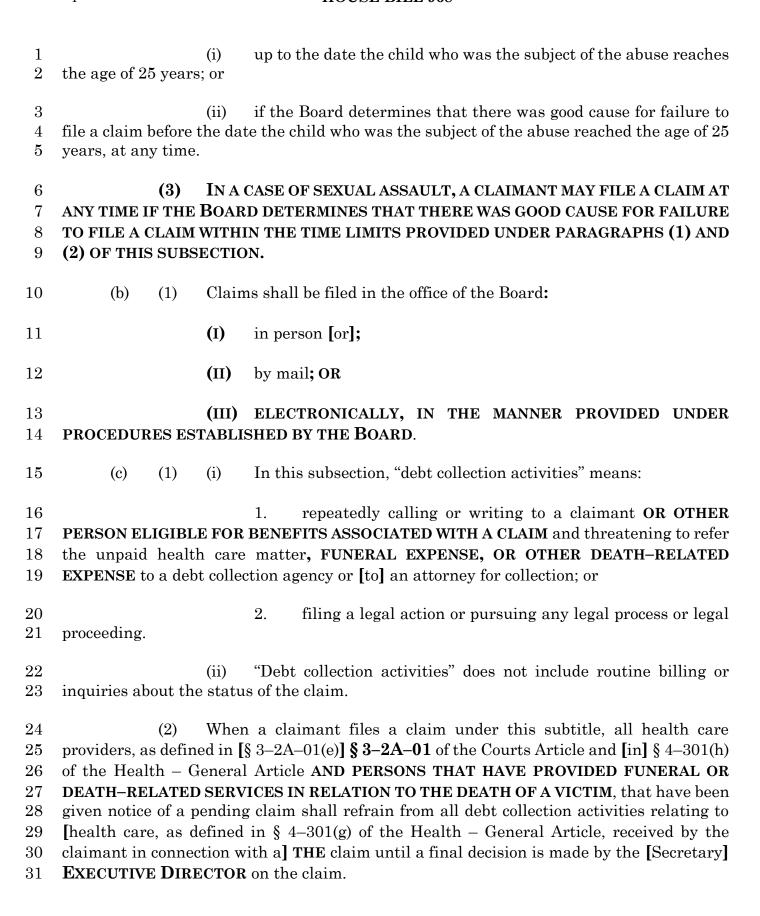
$\frac{1}{2}$	Annotated Code of Maryland (2018 Replacement Volume)				
3 4 5 6 7	BY repealing and reenacting, without amendments, Article – Criminal Procedure Section 11–811(a)(5) and (6) and 11–813(a) Annotated Code of Maryland (2018 Replacement Volume)				
8	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
0	Article - Criminal Procedure				
1	11–811.				
12	(a) (4) An award for funeral expenses may not exceed [\$5,000] \$7,500 .				
13 14 15	11–812 of this subtitle, a person who is eligible for an award as the result of the death of a victim or psychological injury may be eligible, under the regulations that the Board adopts,				
17 18 19 20	11–812 of this subtitle, a parent, child, or spouse of a victim who resides with the victim and who is eligible for an award as the result of the injury of a victim is eligible to receive				
21	(b) Compensation awarded under this subtitle may not exceed:				
22 23	(3) [\$5,000] \$10,000 for each claimant for psychiatric, psychological, or mental health counseling under subsection [(a)(4)] (A)(5) of this section;				
24 25	(6) for an award for psychiatric, psychological, or mental health counseling made under subsection (a)(6) of this section:				
26	(i) [\$1,000] \$10,000 for each claimant; and				
27	(ii) [\$5,000] \$20,000 for each incident; or				
28	(e) The Board may negotiate a settlement with:				
29 30	(1) a health care provider for the medical and medically related expenses; OR				



In a case of child abuse, a claimant may file a claim:

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(2)



1 2 3 4	court shall stay all DEATH-RELATED S	n filing by a party of a notice of a claim filed under this subti- proceedings in an action related to health care OR FUNERA ERVICES provided to a claimant in connection with the claim unto a final decision on the claim has been made.	L OR		
5 6 7 8		I–RELATED SERVICES who receives notice that a claim has been nay notify the Board in writing of the debt owed by the claims	n filed		
9 10 11 12 13	(ii) If a health care provider OR PERSON THAT HAS PROVIDED FUNERAL OR DEATH-RELATED SERVICES notifies the Board under subparagraph (i) of this paragraph, the Board shall notify the health care provider OR PERSON THAT HAP PROVIDED FUNERAL OR DEATH-RELATED SERVICES in writing when a final decision is made on the claim.				
14 15 16 17	provider OR PERSON that has received not	fter a final decision on the claim under this subtitle, a health THAT HAS PROVIDED FUNERAL OR DEATH-RELATED SERVICE of a pending claim under this subtitle may engage in debt collection in court until the later of:	VICES		
18	(i	the expiration of the time for filing a civil action in court; o	r		
19 20	this subtitle.	i) 6 months after the date of the final decision on the claim	under		
21 22 23 24	SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any claim relating to a crime committed before the effective date of this Act.				
25 26	SECTION 4. A January 1, 2020.	AND BE IT FURTHER ENACTED, That this Act shall take	effect		
	Approved:				
		Governor.	_		
		Speaker of the House of Delegates.	_		
		President of the Senate.	—		