

Article 27 - Crimes and Punishments

640.

(a) In this subtitle, the following words have the meanings indicated, unless the context of their use indicates otherwise.

(1) "Court" means the Court of Appeals, Court of Special Appeals, circuit court, and District Court of Maryland, or any of them, unless the context clearly requires a contrary meaning.

(2) "Crime" means an act committed by any person in the State of Maryland which would constitute a crime as defined in Article 27 of the Annotated Code of Maryland or at common law. However, an act involving the operation of a motor vehicle which results in injury does not constitute a crime for the purpose of this Article unless the injuries were intentionally inflicted through the use of a vehicle.

(3) "Defendant" means any person who has been found guilty of a crime or any person whose plea of nolo contendere to a crime has been accepted by the court.

(4) "Division" means Division of Parole and Probation.

(5) "Judge" means a judge of a court.

(6) "Property" means both real and personal property.

(b) Upon conviction for a crime where property of another has been stolen, converted, unlawfully obtained, or its value substantially decreased as a direct result of the crime, or where the victim suffered actual medical expenses, direct out of pocket losses, or loss of earning as a direct result of the crime, OR IF AS A DIRECT RESULT OF THE CRIME, THE VICTIM INCURRED MEDICAL EXPENSES THAT WERE PAID BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR ANY OTHER GOVERNMENTAL ENTITY, the court may order the defendant to make restitution in addition to any other penalty provided for the commission of the crime. PAYMENT OF RESTITUTION TO THE VICTIM UNDER THIS SUBSECTION HAS PRIORITY OVER PAYMENT OF RESTITUTION TO THE DEPARTMENT OR ANY OTHER GOVERNMENTAL ENTITY.

(c) When an order of restitution has been entered pursuant to subsection (b), compliance with the order may be made as a sentence or condition of probation or parole.

(d) (1) Restitution is made by the defendant to the division of parole and probation of the county in which he was convicted under the terms and conditions of the order for restitution.