

Article 26A - Criminal Injuries Compensation Act

12.

(b) Any award made pursuant to this article shall be made in accordance with the schedule of benefits and degree of disability as specified in Article 101, § 36 (as it existed on July 1, 1974), § 37, and other applicable sections[,] of the Code, excluding § 66 entitled "Subsequent Injury Fund." However, the term "average weekly wages" as applied to determine the award in accordance with § 36 of Article 101, does not include tips, gratuities and wages that are undeclared on the claimant's State or federal income tax returns in the applicable years. If a claimant does not have "average weekly wages" so as to qualify under the formula in § 36 of Article 101, the award shall be in an amount equal to the arithmetic average between the maximum and minimum awards listed in the applicable portion of that section.

Article 27 - Crimes and Punishments

641A.

(a) Upon entering a judgment of conviction, the court having jurisdiction may suspend the imposition or execution of sentence and place the defendant on probation upon such terms and conditions as the court deems proper. The court may impose a sentence for a specified period and provide that a lesser period be served in confinement, suspend the remainder of the sentence and grant probation for a period longer than the sentence but not in excess of [five] 5 years[, however]. HOWEVER, if the defendant consents in writing, the court may grant probation in excess of 5 years, but only for purposes of making restitution.

(B) Probation may be granted whether the offense is punishable by fine or imprisonment or both. If the offense is punishable by both fine and imprisonment, the court may impose a fine and place the defendant on probation as to the imprisonment. Probation may be limited to one or more counts or indictments, but, in the absence of express limitation, shall extend to the entire sentence and judgment. The court may revoke or modify any condition of probation or may reduce the period of probation.

681.

As used in this [section] SUBHEADING, unless the context otherwise requires:

(1) "Commissioner" means the Commissioner of the Division of Correction.