

(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.

(c) If there are two or more persons entitled to an award as a result of the death of a person which is the direct result of a crime, the award shall be apportioned among the claimants.

(d) Any award made pursuant to this article shall be reduced by the amount of any payments received or to be received as a result of the injury (1) from or on behalf of the person who committed the crime, (2) from any other public or private source, including an award of the Workmen's Compensation Commission under Article 101, (3) as an emergency award pursuant to § 11 of this article.

(e) In determining the amount of an award, the [Board or] Board members, [as the case may be,] shall determine whether, because of his conduct, the victim of such crime contributed to the infliction of his injury, and the [Board or] Board [member] MEMBERS shall reduce the amount of the award or reject the claim altogether, in accordance with such determination; provided, however, that the [Board or] Board [member] MEMBERS[, as the case may be,] may disregard for this purpose the responsibility of the victim for his own injury where the record shows that such responsibility was attributable to efforts by the victim to prevent a crime or an attempted crime from occurring in his presence or to apprehend a person who had committed a crime in his presence or had, in fact, committed a felony.

(f) (1) If the Board [or Board member, as the case may be, finds] MEMBERS FIND that the claimant will not suffer serious financial hardship, as a result of the loss of earnings or support and the out-of-pocket expenses incurred as a result of the injury, if not granted financial assistance pursuant to this article to meet the loss of earnings, support, or out-of-pocket expenses, the [Board or] Board members shall deny an award. In determining the serious financial hardship, the [Board or] Board [member] MEMBERS shall consider all of the financial resources of the claimant. Unless total dependency is established, a family is considered to be partially dependent on a mother with whom they reside without regard to actual earnings.