

(II) IS THE VICTIM OF A CRIME OF VIOLENCE UNDER § 643B OF THIS ARTICLE OR A CRIME INVOLVING, CAUSING, OR RESULTING IN DEATH OR SERIOUS BODILY HARM FOR WHICH THE DEFENDANT IS BEING TRIED.

(3) "REPRESENTATIVE" MEANS A PERSON WHO IS:

(I) 1. SUBPOENAED OR HAS TESTIFIED; AND

2. SELECTED BY THE NEXT OF KIN OR GUARDIAN OF A PERSON WHO IS DECEASED OR DISABLED AS A RESULT OF A CRIME OF VIOLENCE UNDER § 643B OF THIS ARTICLE OR A CRIME INVOLVING, CAUSING, OR RESULTING IN DEATH OR SERIOUS BODILY HARM; OR

(II) DESIGNATED BY THE COURT IN THE EVENT OF A DISPUTE OVER THE REPRESENTATIVE.

(B) A VICTIM OR REPRESENTATIVE SHALL BE PRESUMED TO HAVE THE RIGHT TO BE PRESENT AT THE TRIAL.

(C) THE JUDGE MAY SEQUESTER A VICTIM OR REPRESENTATIVE FROM ANY PART OF THE TRIAL AT THE REQUEST OF THE DEFENDANT OR THE STATE ONLY AFTER A FINDING OF GOOD CAUSE.

(D) A JUDGE MAY REMOVE A VICTIM OR REPRESENTATIVE FROM THE TRIAL FOR THE SAME CAUSES AND IN THE SAME MANNER AS THE LAWS OR RULES OF COURT PROVIDE FOR THE EXCLUSION OR REMOVAL OF THE DEFENDANT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 19, 1989.

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CHAPTER 487

(Senate Bill 417)

AN ACT concerning

Restitution

FOR the purpose of subrogating the State to a victim's right to recover restitution if the victim is given an award under the Criminal Injuries Compensation Act; removing a restriction on where restitution may be paid; defining a certain term; ~~requiring--that~~ allowing a court to order restitution under certain circumstances; requiring a court