

WILLIAM DONALD SCHAEFER, Governor

(i) Property of the victim was stolen, converted, unlawfully obtained, or its value substantially decreased as a direct result of the crime;

(ii) The victim suffered actual medical expenses, direct out-of-pocket losses, or loss of earnings as a direct result of the crime;

(iii) The victim incurred medical expenses that were paid by the Department of Health and Mental Hygiene or any other governmental entity; [or]

(iv) A governmental entity incurred expenses in the removal, towing, transporting, preserving, storage, sale, or destruction of an abandoned vehicle; OR

(V) THE CRIMINAL INJURIES COMPENSATION BOARD PAID BENEFITS TO A VICTIM OF THE CRIME.

(2) ON CONVICTION OF A CRIME--OR, ACCEPTANCE OF A PLEA OF NOLO CONTENDERE, OR IMPOSITION OF PROBATION BEFORE JUDGMENT UNDER § 292 OR § 641 OF THIS ARTICLE OR--IMPOSITION--OF PROBATION--BEFORE--JUDGMENT--UNDER--ARTICLE--277--§-292--OR--§-641, THE COURT SHALL MAY ORDER THE DEFENDANT TO MAKE RESTITUTION IN ADDITION TO ANY OTHER PENALTY FOR THE COMMISSION OF THE CRIME IF:

(I) THE VICTIM OR THE STATE ON BEHALF OF THE VICTIM REQUESTS RESTITUTION; AND

(II) THE COURT IS PRESENTED WITH COMPETENT EVIDENCE OF ANY OF ITEMS (I) THROUGH (V) OF PARAGRAPH (1) OF THIS SUBSECTION.

[(2)] (3) The court may order that restitution be made to:

(i) The victim;

(ii) The Department of Health and Mental Hygiene, THE CRIMINAL INJURIES COMPENSATION BOARD, or ANY other governmental entity; or

(iii) A third-party payor, including an insurer, which has made payment to the victim to compensate the victim for a property loss [under paragraph (1)(i) of this subsection,] or pecuniary loss under [paragraph (1)(ii) of] this subsection.

[(3)] (4) If the victim has been fully compensated for the victim's loss by a third-party payor, the court may order restitution to the third-party payor. Otherwise, payment of