

(a) (1) In this subtitle, the following words have the meanings indicated, unless the context of their use indicates otherwise.

(3) "Child" means a person under the age of 18 years.

(6) "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.

(b) (1) On conviction of a crime, acceptance of a plea of nolo contendere, or imposition of probation before judgment under § 641 of this article, the court may issue an order of restitution directing the defendant to make restitution in addition to any other penalty for the commission of the crime, if:

(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;

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

(v) The Criminal Injuries Compensation Board paid benefits to a victim of the crime; or

(vi) The Department of Health and Mental Hygiene or other governmental entity paid expenses incurred under § 765 of this article.

(2) A victim is presumed to have a right to restitution under paragraph (1) of this subsection if:

(i) The victim or the State requests restitution;

(ii) The court is presented with competent evidence of any of items (i) through (vi) of paragraph (1) of this subsection; and

(iii) The defendant has the ability to pay the restitution order.

(m) (1) Notwithstanding any other provision of law, if the defendant is a child who has been charged as an adult, the court may order the child, the child's parent, or both to pay restitution to a victim.

(2) As an absolute limit against any one child, the child's parent, or both, an order of restitution issued under this section may not exceed [\$5,000] \$10,000 for all acts arising out of a single incident.

(3) A court may not issue an order of restitution against a parent under this section unless the parent has been afforded a reasonable opportunity to be heard and to present appropriate evidence on the parent's behalf. A hearing under this section may be held as part of the criminal proceeding against the child.