

Annotated Code of Maryland
(1990 Replacement Volume and 1994 Supplement)

BY repealing and reenacting, with amendments,

Article - State Government

Section 8-201(b), 9-1107(b), and 9-1704(a)

Annotated Code of Maryland

(1993 Replacement Volume and 1994 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

640.

(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;