

(3) The Division shall forward any property or payments in accordance with the court's order of restitution and the provisions of this section to:

- (i) The victim;
- (ii) The Department of Health and Mental Hygiene or other governmental entity; or
- (iii) The third-party payor.

(4) The Division may assess additional fees not to exceed 2 percent of the amount of the order of restitution to pay for administrative costs of collecting payments or property. These fees shall be paid by the defendant.

(e) (1) When a defendant fails to make restitution as ordered, the Division shall notify the court.

(2) The court may hold a hearing to determine if the defendant is in contempt of court or has violated the terms of the probation [or parole].

(3) If the court finds that the defendant intentionally became impoverished to avoid payment of the restitution, the court may find the defendant in violation of probation [or parole].

(f) An order of restitution may not preclude the owner of the property or the victim who suffered personal physical or mental injury or out-of-pocket loss of earnings or support from proceeding in a civil action to recover damages from the defendant. A civil verdict shall be reduced by the amount paid under the criminal restitution order.

(g) If an order of restitution requiring the payment of money is recorded and indexed in the civil judgment index under subsection (h) or subsection (i) of this section:

(1) The order of restitution shall constitute a money judgment in favor of the individual, governmental entity, or third-party payor to whom the defendant has been ordered to pay restitution;

(2) The order of restitution may be enforced by the individual, governmental entity, or third-party payor to whom the defendant has been ordered to pay restitution in the same manner as a money judgment in a civil action; and

(3) Except as otherwise expressly provided by this section, an individual, governmental entity, or third-party payor to whom a defendant has been ordered to pay restitution shall have all the rights and obligations of a money judgment creditor under the Maryland Rules, including the obligation to file a statement that the judgment has been satisfied under Rule 2-626 or Rule 3-626 on receiving all amounts due under the judgment.

(h) (1) An order of restitution that is issued by a circuit court under this section shall be recorded and indexed in the civil judgment index by the clerk of the circuit court as a money judgment as prescribed by the Maryland Rules.

(2) An order of restitution that is recorded and indexed in the civil judgment index as a money judgment under paragraph (1) of this subsection: