

(5) The provisions of § 10-127(a) through (c) of the Family Law Article shall apply to an earnings withholding order under this section.

(6) (i) Subject to the provisions of paragraphs (ii) and (iii) of this subsection, the payment amount under an earnings withholding order under this section shall be 20 percent of the earnings of a defendant as determined under [§ 637 of this article] § 806 OF THIS SUBHEADING.

(ii) If the restitution obligation of the defendant is considered to be delinquent, the court may impose a payment amount in excess of the amount allowed in subparagraph (i) of this paragraph.

(iii) Any amount of an earnings withholding order issued under this section may not exceed the requirements of the federal Consumer Credit Protection Act.

(iv) If a court determines that the amount of an earnings withholding order issued under this section exceeds the requirements of the federal Consumer Credit Protection Act, the court shall alter the amount of the order to the maximum allowed under the federal Consumer Credit Protection Act.

(7) (i) A defendant or employer of a defendant who violates the provisions of this section is subject to a fine not to exceed \$250.

(ii) A fine collected under this section shall be distributed in the same manner as the distribution of costs under [Article 26A, § 17 of the Code] § 830 OF THIS SUBTITLE.

(iii) In addition to any fine imposed under this paragraph, an employer is liable for damages for the failure of the employer to deduct the earnings of a defendant or failure to make a timely payment as required in the order.

DRAFTER'S NOTE: This section formerly was Art. 27, § 640C of the Code.

The only changes are in style.

813. RESERVED.

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CRIMINAL INJURIES COMPENSATION

815. DEFINITIONS.

(A) [For the purpose of this article:] IN THIS SUBHEADING THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

[(a)](B) "Board" means the Criminal Injuries Compensation Board.

[(b)](C) "Claimant" means the person filing a claim pursuant to this article.

[(c)](D) (1) Except as provided in paragraph (2) of this subsection, "crime" means an act: