

820. FILING OF CLAIMS.

(a) A claim may be filed by a person eligible to receive an award, as provided in [§ 5 of this article] § 819 OF THIS SUBHEADING, or if [such] THE person is under eighteen years of age, by [his] THE PERSON'S parent or guardian. In any case in which the person entitled to make a claim is mentally incompetent, the claim may be filed on [his] THE PERSON'S behalf by [his] THE PERSON'S guardian or [such] other individual authorized to administer [his] THE PERSON'S estate.

(b) (1) A claim must be filed by the claimant not later than:

(i) 180 days after the occurrence of the crime upon which the claim is based; or

(ii) 180 days after the death of the victim.

(2) The Board may extend the time for filing up to 2 years after each occurrence for good cause.

(3) In cases of child abuse, a claim may be filed up to 2 years after the occurrence was known or should have been known by the claimant.

(c) Claims shall be filed in the office of the secretary of the Board in person or by mail. The secretary shall accept for filing all claims submitted by persons eligible under subsection (a) of this section and alleging the jurisdictional requirements set forth in this [article] SUBHEADING and meeting the requirements as to form in the rules and regulations of the Board.

(d) Upon filing of a claim [pursuant to this article] UNDER THIS SUBHEADING, the Board shall promptly notify the State's Attorney of the county, or Baltimore City, as the case may be, [wherein] WHERE the crime is alleged to have occurred. If, within ten days after [such] notification, the State's Attorney so notified advises the Board that a criminal prosecution is pending upon the same alleged crime, the Board shall defer all proceedings under this [article] SUBHEADING until [such] THE time as [such] THE criminal prosecution has been concluded and shall so notify [such] THAT State's Attorney and the claimant. When [such] THE criminal prosecution has been concluded, the State's Attorney shall promptly [so] notify the Board. Nothing in this section shall limit the authority of the Board to grant emergency awards as [hereinafter] provided UNDER THIS SUBHEADING.

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 6 of the Code.

In subsections (c) and (d) of this section, the references to "subheading" is substituted for the former overly broad references to "article" for accuracy.

The only other changes are in style.

821. MINIMUM ALLOWABLE CLAIM.

An award may not be made on a claim unless the claimant has incurred a minimum out-of-pocket loss of one hundred dollars or has lost at least two continuous weeks' earnings or support. Out-of-pocket loss means unreimbursed and unreimbursable expenses or indebtedness reasonably incurred for medical care, including expenses for