

## 823. JUDICIAL REVIEW OF DECISION.

Within 30 days of the final decision any claimant aggrieved by the final decision may appeal the decision under the applicable provisions of the Administrative Procedure Act, §§ 10-222 and 10-223 of the State Government Article [of the Code].

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 10 of the Code.

The only change is in style.

## 824. EMERGENCY AWARDS.

(A) Notwithstanding the provisions of [ §§ 6 and 8 of this article ] §§ 820 AND 822 OF THIS SUBHEADING, THE BOARD MEMBERS MAY MAKE AN EMERGENCY AWARD TO THE CLAIMANT PENDING A FINAL DECISION IN THE CASE, if it appears to the Board members to whom a claim is assigned, prior to taking action upon the claim, that [(a) the]:

(1) THE claim is one with respect to which an award probably will be made[, and (b) undue]; AND

(2) UNDUE hardship will result to the claimant if immediate payment is not made[, the Board members may make an emergency award to the claimant pending a final decision in the case].

(B) (1) [However, (1) the] THE amount of the emergency award [shall] MAY not exceed \$1,000[, (2) the].

(2) THE amount of the emergency award shall be deducted from any final award made to the claimant[, and (3) the].

(3) THE excess of the amount of the emergency award over the final award, or the full amount of the emergency award if no final award is made, shall be repaid by the claimant to the Board.

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 11 of the Code.

## 825. CONDITIONS FOR AND AMOUNT OF AWARDS.

(a) (1) An award may not be made unless the Board members find that:

(i) [a] A crime was committed[, (ii) such];

(II) THE crime directly resulted in personal physical injury to, or death of the victim[, and]; AND

(iii) [police] POLICE records show that [such] THE crime was promptly reported to the proper authorities[; and in].

(2) IN no case may an award be made where the police records show that [such] THE CRIME report was made more than [forty-eight] 48 hours after the occurrence of [such] THE crime unless the Board, for good cause shown, finds the delay