

(1) [from] FROM or on behalf of the person who committed the crime[, (2) from];

(2) FROM any other public or private source, including an award of the State Workers' Compensation Commission under the Maryland Workers' Compensation Act[, or (3) as]; OR

(3) AS an emergency award [pursuant to § 11 of this article] UNDER § 824 OF THIS SUBHEADING.

(e) (1) (I) [In] EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN determining the amount of an award, the Board members shall determine whether, because of [his] THE VICTIM'S conduct, the victim of [such] THE crime contributed to the infliction of [his] THE VICTIM'S injury, and the Board members shall reduce the amount of the award or reject the claim altogether, in accordance with [such] THIS determination[; provided, however, that the].

(II) THE Board members may disregard for this purpose the responsibility of the victim for [his] THE VICTIM'S own injury where the record shows that [such] THIS responsibility was attributable to efforts by the victim to prevent a crime or an attempted crime from occurring in [his] THE VICTIM'S presence or to apprehend a person who had committed a crime in [his] THE VICTIM'S presence or had, in fact, committed a felony.

(2) Claimants filing for injuries incurred as the occupants of a motor vehicle or dependents of an occupant of a motor vehicle operated by a person in violation of the provisions of § 21-902(a), (b), (c), or (d) of the Transportation Article may not recover unless the claimant can prove that the occupant did not or could not have known of the condition of the operator of the vehicle.

(3) A person is not eligible for all or a portion of an award if the person initiated, consented to, provoked, or unreasonably failed to avoid a physical confrontation with the offender, or the victim was participating in a criminal offense at the time the injury was inflicted.

(f) (1) If the Board members find that the claimant will not suffer serious financial hardship, as a result of the loss of earnings or support and the out-of-pocket expenses incurred as a result of the injury, if not granted financial assistance pursuant to this article to meet the loss of earnings, support, or out-of-pocket expenses, the Board members shall deny an award. In determining the serious financial hardship, the Board members shall consider all of the financial resources of the claimant. Unless total dependency is established, a family is considered to be partially dependent on a ~~mother~~ PARENT with whom they reside without regard to actual earnings.

(2) The conditions of paragraph (1) of this subsection [shall] DO not apply in determining an award under [§ 5(a)(4), (5), and (6) of this article] § 819(A)(4), (5), AND (6) OF THIS SUBHEADING.

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 12 of the Code.

In subsections (a)(4), (b)(1), and (d) of this section, the references to