

court [before whom the offender is convicted] shall either issue execution against the property of the [convicted person] DEFENDANT OR LIABLE PARENT in the name of the [person injured] VICTIM for the value of the property taken, or so much of the property as is not restored, the value to be estimated by the court, or order restitution in an amount not to exceed 20 percent of any earnings less other deductions required by law to be paid out of any funds earned by the defendant under a "work release" plan.

(b) The provisions of this section may not deprive the [party injured] VICTIM from having and maintaining a civil action against the [offender] DEFENDANT, either before or after conviction, or against any other person, for the recovery of the money received or property taken, or the value of the property.

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[(a) (1) In this section, the following words have the meanings indicated, unless the context of their use indicates otherwise.

(2) "Abandoned vehicle" has the same meaning as stated in § 25-201 of the Transportation Article.

(3) "Child" means a person under the age of 18 years.

(4) "Court" means the Court of Appeals, Court of Special Appeals, circuit court, and District Court of Maryland, or any of them, unless the context clearly requires a contrary meaning.

(5) "Crime" means an act committed by any person in the State which would constitute a crime as defined in this article or at common law, or a violation under § 25-202 of the Transportation Article. However, an act involving the operation of a motor vehicle which results in injury does not constitute a crime for the purpose of this section unless the injuries were intentionally inflicted through the use of a vehicle.

(6) "Defendant" means any person who has been found guilty of a crime or any person whose plea of nolo contendere to a crime has been accepted by the court.

(7) "Division" means Division of Parole and Probation.

(8) "Judge" means a judge of a court.

(9) "Order of restitution" means either a direct order for payment of restitution or an order for payment of restitution that is a condition of probation in an order of probation.

(10) "Property" means both real and personal property.

(11) (i) "Victim" means a person who suffers personal injury, death, or property damage or loss as a direct result of crime.

(ii) "Victim" includes:

1. In the event of the death of a victim, the victim's estate; or
2. Upon conviction, acceptance of a plea of nolo contendere, or imposition of probation before judgment for an offense under § 267 of this article: