

- A. The owner of the burial site; and
- B. An individual related by blood or marriage to the individual buried in the burial site.]

~~[(b)](A) (1) On conviction of a crime, acceptance of a plea of nolo contendere, or imposition of probation before judgment under § 641 of this article, the A court may issue [an order] A JUDGMENT of restitution directing the A defendant to make restitution in addition to any other penalty for the commission of the A crime, if:~~

- (i) Property of the victim was stolen, damaged, destroyed, converted, unlawfully obtained, or its value substantially decreased as a direct result of the crime;
- (ii) The victim suffered actual medical, DENTAL, HOSPITAL, COUNSELING, FUNERAL, BURIAL expenses, ANY OTHER direct out-of-pocket losses, or loss of earnings as a direct result of the crime;
- (iii) The victim incurred medical expenses that were paid by the Department of Health and Mental Hygiene or any other governmental entity;
- (iv) A governmental entity incurred expenses in the removal, towing, transporting, preserving, storage, sale, or destruction of an abandoned vehicle;
- (v) The Criminal Injuries Compensation Board paid benefits to a victim of the crime; or
- (vi) The Department of Health and Mental Hygiene or other governmental entity paid expenses incurred under § 855 of this subtitle.

(2) A victim is presumed to have a right to restitution under paragraph (1) of this subsection if:

- (i) The victim or the State requests restitution; AND
- (ii) The court is presented with competent evidence of any of items (i) through (vi) of paragraph (1) of this subsection[; and
- (iii) The defendant has the ability to pay the restitution order].

(3) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF THE DEFENDANT IS A CHILD, THE COURT MAY ORDER THE CHILD, THE CHILD'S PARENT, OR BOTH TO PAY RESTITUTION TO A VICTIM.

(II) AS AN ABSOLUTE LIMIT AGAINST ONE CHILD, THE CHILD'S PARENT, OR BOTH, A JUDGMENT OF RESTITUTION ISSUED UNDER THIS SECTION MAY NOT EXCEED \$10,000 FOR ALL ACTS ARISING OUT OF A SINGLE INCIDENT.

(III) A COURT MAY NOT ENTER A JUDGMENT OF RESTITUTION AGAINST A PARENT UNDER THIS SECTION UNLESS THE PARENT HAS BEEN AFFORDED A REASONABLE OPPORTUNITY TO BE HEARD AND TO PRESENT APPROPRIATE EVIDENCE ON THE PARENT'S BEHALF. A HEARING UNDER THIS SECTION MAY BE HELD AS PART OF THE SENTENCING OR DISPOSITION HEARING.