

(II) THAT INCAPACITATED THE INDIVIDUAL OR MATERIALLY REDUCED THE INDIVIDUAL'S EARNING POWER IN THAT TYPE OF WORK.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 41, § 4-701(a).

In the introductory language of this section, the reference to a correctional facility "in" the Division of Correction is substituted for the former reference to a facility "under the supervision of" the Division for consistency throughout this article. See General Revisor's Note to this article.

In items (1) and (2)(i) of this section, the references to a stipulated sum "of money" are added to state expressly that which was only implied in the former references to a "stipulated sum".

In item (2)(i) of this section, the former reference to "one or more" correctional facilities is deleted as unnecessary in light of Art. 1, § 8 of the Code, which provides that the singular generally includes the plural.

In item (2)(ii) of this section, the reference to "that type of" work is substituted for the former reference to "such" work for clarity.

Defined terms: "Board" § 10-301

"Correctional facility" § 1-101

"Division of Correction" § 1-101

"Inmate" § 1-101

"Permanent partial disability" § 10-301

"Permanent total disability" § 10-301

10-305. FILING A CLAIM.

(A) RIGHT TO FILE.

(1) AN INJURED INMATE MAY FILE A CLAIM FOR COMPENSATION AGAINST THE STATE UNDER THIS SUBTITLE WITH THE BOARD.

(2) THE BOARD MAY RECEIVE ORIGINAL PAPERS REPRESENTING A CLAIM EVEN IF THE STATE HAS NOT APPROPRIATED MONEY TO PAY THE CLAIM.

(B) TIME TO FILE.

AN INJURED INMATE SHALL FILE A CLAIM WITH THE BOARD BY THE LATER OF:

(1) 12 MONTHS AFTER BEING RELEASED FROM THE CORRECTIONAL FACILITY; OR

(2) 24 MONTHS AFTER THE DATE OF INJURY.

(C) RECORD KEEPING.

THE BOARD SHALL FILE AND PROPERLY DESIGNATE EACH CLAIM BY NUMBER, SHORT TITLE, OR BOTH.