

relating to the rights of victims and victims' representatives in incompetency and not criminally responsible cases.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 3-123

Annotated Code of Maryland

(As enacted by Chapter 10 (S.B. 1) of the Acts of the General Assembly of 2001)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Procedure

3-123.

(a) (1) In this section the following terms have the meanings indicated.

(2) "DEFENDANT" MEANS:

(I) A COMMITTED INDIVIDUAL;

(II) AN INDIVIDUAL FOUND COMPETENT TO STAND TRIAL; OR

(III) AN INDIVIDUAL CHARGED WITH A CRIME AND THE ISSUE OF WHETHER THE INDIVIDUAL IS INCOMPETENT TO STAND TRIAL HAS BEEN RAISED OR WHERE A PLEA OF NOT CRIMINALLY RESPONSIBLE HAS BEEN ENTERED.

[(2)] (3) "Victim" means a victim of a crime of violence or a victim who has filed a notification request form under § 11-104 of this article.

[(3)] (4) "Victim's representative" includes a family member or guardian of a victim who is:

(i) a minor;

(ii) deceased; or

(iii) disabled.

(b) A State's Attorney shall notify a victim or victim's representative of all rights provided under this section.

(c) (1) A victim or victim's representative may request notification under this section by:

(i) notifying the State's Attorney and the Health Department [once every 2 years in writing] of the request for notification; or

(ii) filing a notification request form under § 11-104 of this article.

(2) A request for notification under paragraph (1)(i) of this subsection shall designate: