

In subsection (b)(1) of this section, the reference to the court's "initiative" is substituted for the former reference to a "request", because the court is not requesting that a hearing be held but rather, using its own discretion, has decided to hold a hearing.

Defined term: "Victim's representative" § 11-401

SUBTITLE 5. POSTSENTENCING PROCEDURES.

11-501. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 783A(a).

(B) VICTIM.

"VICTIM" MEANS A PERSON WHO SUFFERS DIRECT OR THREATENED PHYSICAL, EMOTIONAL, OR FINANCIAL HARM AS A DIRECT RESULT OF A CRIME OR DELINQUENT ACT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 783A(c), as it related to an individual who suffers harm.

The reference to a "crime" is substituted for the former references to a "felony" to avoid giving the term "victim" an unnaturally narrow meaning. Similarly, the former reference to a delinquent act "that would be a felony if committed by an adult" is deleted. The restrictive quality that the references to "felony" and to "felony if committed by an adult" signify is more properly expressed as scope provisions. See § 11-502 of this subtitle.

The defined term "person" is substituted for the former reference to "individual" to conform to the terminology used throughout this article.

Defined terms: "Delinquent act" § 11-101

"Person" § 1-101

(C) VICTIM'S REPRESENTATIVE.

"VICTIM'S REPRESENTATIVE" INCLUDES:

(1) A FAMILY MEMBER OF A VICTIM WHO IS A MINOR, AN INCOMPETENT, OR A VICTIM OF HOMICIDE; OR

(2) A GUARDIAN OF A MINOR OR AN INCOMPETENT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 783A(c), as it related to family members and guardians of certain victims.