

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

Article - Criminal Procedure

11-813.

(a) The Board may make an emergency award to the claimant before making a final decision in the case, if the Board determines, before taking action on the claim, that:

- (1) an award likely will be made on the claim; and
- (2) the claimant will suffer undue hardship unless immediate payment is made.

(b) (1) The amount of an emergency award under this section:

- (i) may not exceed ~~[\$1,000]~~ \$2,000; and
- (ii) shall be deducted from any final award made to the claimant.

(2) [A] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A claimant shall repay the Board:

- (i) the excess of the amount of the emergency award over any final award; or
- (ii) if a final award is not made, all of the emergency award.

(3) ON WRITTEN REQUEST BY A CLAIMANT, FOR A COMPELLING REASON THE BOARD MAY WAIVE THE REQUIREMENT THAT A CLAIMANT REPAY AN EMERGENCY AWARD UNDER PARAGRAPH (2) OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

Approved April 13, 2004.

CHAPTER 18

(Senate Bill 53)

AN ACT concerning

Planning - Priority Funding Areas - Requests for Exceptions

FOR the purpose of transferring certain authority relating to requests by the Board of Public Works for advisory opinions on certain exceptions from the State Economic Growth, Resource Protection, and Planning Commission to the Department of Planning; and generally relating to the funding of a growth-related project not in a priority funding area.