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2016 Maryland Code
State Finance and Procurement
Division I - State Finance
Title 10 - Board of Public Works --
Miscellaneous Provisions
Subtitle 5 - Payments
§ 10-501. Payment to individuals
convicted, sentenced, and confined in
error

Universal Citation: MD State Fin & Pro Code § 10-501 (2016)

(a) In general. --

(1) Subject to subsection (b) of this section, the Board of Public Works may grant to an individual erroneously convicted, sentenced, and confined under State law for a crime the individual did not commit an amount commensurate with the actual damages sustained by the individual, and may grant a reasonable amount for any financial or other appropriate counseling for the individual, due to the confinement.

(2) In making a grant under paragraph (1) of this subsection, the Board of Public Works shall use money in the General Emergency Fund or money that the Governor provides in the annual budget.

(b) Eligibility. -- An individual is eligible for a grant under subsection (a) of this section only if the individual has received from the Governor a full pardon stating that the individual's conviction has been shown conclusively to be in error.

(c) Payment options. -- The Board of Public Works may pay the grant determined under subsection (a) of this section in a lump sum or in installments.

(d) Prohibited payments. --

- (1) The Board of Public Works may not pay any part of a grant made under this section to any individual other than the pardoned individual.
- (2) (i) An individual may not pay any part of a grant received under this section to another person for services rendered in connection with the collection of the grant.
(ii) An obligation incurred in violation of this paragraph is void.
(iii) A payment made in violation of this paragraph shall be forfeited to the State.
- (e) Effect of section. -- This section does not prohibit an individual from contracting for services to:
 - (1) determine the individual's innocence;
 - (2) obtain a pardon; or
 - (3) obtain the individual's release from confinement.

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