

DISPOSITION OF CHARGES AGAINST EACH PERSON WHO HAS BEEN HELD LONG ENOUGH TO BE ELIGIBLE FOR RELEASE UNDER § 3-107 OF THIS TITLE.

(2) THE STATE'S ATTORNEY SHALL SEND THE RECOMMENDATION ABOUT A PERSON TO:

(I) THE COURT THAT ORDERED COMMITMENT OF THE PERSON;
AND

(II) THE LAST COUNSEL FOR THE PERSON.

(D) NOTIFICATION OF CENTRAL REPOSITORY.

THE FACILITY OF THE HEALTH DEPARTMENT THAT HAS CHARGE OF A PERSON COMMITTED AS INCOMPETENT TO STAND TRIAL SHALL NOTIFY THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY IF THE PERSON ESCAPES.

REVISOR'S NOTE: This section formerly was HG § 12-107.

In subsection (d) of this section, the reference to "Criminal Justice Information System Central Repository" is substituted for the former reference to "central repository of the criminal justice information system" to conform to the terminology used in § 11-203 of this article.

Defined terms: "Court" § 3-101

"Health Department" § 3-101

"Incompetent to stand trial" § 3-101

"Person" § 1-101

3-109. TEST FOR CRIMINAL RESPONSIBILITY.

(A) IN GENERAL.

A DEFENDANT IS NOT CRIMINALLY RESPONSIBLE FOR CRIMINAL CONDUCT IF, AT THE TIME OF THAT CONDUCT, THE DEFENDANT, BECAUSE OF A MENTAL DISORDER OR MENTAL RETARDATION, LACKS SUBSTANTIAL CAPACITY TO:

(1) APPRECIATE THE CRIMINALITY OF THAT CONDUCT; OR

(2) CONFORM THAT CONDUCT TO THE REQUIREMENTS OF LAW.

(B) EXCLUSIONS.

FOR PURPOSES OF THIS SECTION, "MENTAL DISORDER" DOES NOT INCLUDE AN ABNORMALITY THAT IS MANIFESTED ONLY BY REPEATED CRIMINAL OR OTHERWISE ANTISOCIAL CONDUCT.

REVISOR'S NOTE: This section formerly was HG § 12-108.

The only changes are in style.

Defined term: "Mental disorder" § 3-101