

REVISOR'S NOTE: This section formerly was HG § 12-114.

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

The only other changes are in style.

Defined terms: "Committed person" § 3-101

"Court" § 3-101

"Health Department" § 3-101

"Office" § 3-101

3-116. REPORT OF OFFICE.

(A) IN GENERAL.

WITHIN 10 DAYS AFTER THE HEARING ENDS, THE OFFICE SHALL PREPARE A REPORT OF RECOMMENDATIONS TO THE COURT THAT CONTAINS:

- (1) A SUMMARY OF THE EVIDENCE PRESENTED AT THE HEARING;
- (2) RECOMMENDATIONS OF THE OFFICE AS TO WHETHER THE COMMITTED PERSON PROVED, BY A PREPONDERANCE OF THE EVIDENCE, ELIGIBILITY FOR CONDITIONAL RELEASE OR ELIGIBILITY FOR DISCHARGE; AND
- (3) IF THE OFFICE DETERMINES THAT THE COMMITTED PERSON PROVED ELIGIBILITY FOR CONDITIONAL RELEASE, THE RECOMMENDED CONDITIONS OF THE RELEASE IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

(B) CONSIDERATION OF CONDITIONS FOR RELEASE.

IN RECOMMENDING THE CONDITIONS OF A CONDITIONAL RELEASE, THE OFFICE SHALL GIVE CONSIDERATION TO ANY SPECIFIC CONDITIONS RECOMMENDED BY THE FACILITY OF THE HEALTH DEPARTMENT THAT HAS CHARGE OF THE COMMITTED PERSON, THE COMMITTED PERSON, OR COUNSEL FOR THE COMMITTED PERSON.

(C) COPIES OF REPORT.

THE OFFICE SHALL SEND COPIES OF THE REPORT OF RECOMMENDATIONS:

- (1) TO THE COMMITTED PERSON;
- (2) TO COUNSEL FOR THE COMMITTED PERSON;
- (3) TO THE STATE'S ATTORNEY;
- (4) TO THE COURT; AND
- (5) TO THE FACILITY OF THE HEALTH DEPARTMENT THAT HAS CHARGE OF THE COMMITTED PERSON.

(D) EXCEPTIONS.