

3. DISCHARGE FROM COMMITMENT.

(5) IF THE TRIER OF FACT RENDERS A VERDICT FOR CONDITIONAL RELEASE, WITHIN 30 DAYS AFTER THE VERDICT, THE COURT SHALL RELEASE THE COMMITTED PERSON UNDER CONDITIONS IT IMPOSES IN ACCORDANCE WITH SPECIFIC RECOMMENDATIONS FOR CONDITIONS UNDER § 3-116(B) OF THIS TITLE.

(D) APPEALS.

(1) AN APPEAL FROM A DISTRICT COURT ORDER SHALL BE ON THE RECORD IN THE CIRCUIT COURT.

(2) AN APPEAL FROM A CIRCUIT COURT ORDER SHALL BE BY APPLICATION FOR LEAVE TO APPEAL TO THE COURT OF SPECIAL APPEALS.

REVISOR'S NOTE: This section formerly was HG § 12-118.

In subsection (c)(5) of this section, the reference to "the trier of fact" is substituted for the former misleading reference to "the court" to conform to the terminology used in subsection (c)(4) of this section.

The only other changes are in style.

Defined terms: "Committed person" § 3-101

"Court" § 3-101.

"Health Department" § 3-101

3-120. CONDITIONAL RELEASE REQUEST BY HEALTH DEPARTMENT.

(A) IN GENERAL.

(1) IF AT ANY TIME THE HEALTH DEPARTMENT CONSIDERS THAT A COMMITTED PERSON IS ELIGIBLE FOR CONDITIONAL RELEASE, THE HEALTH DEPARTMENT MAY APPLY FOR THE CONDITIONAL RELEASE TO THE COURT THAT COMMITTED THE PERSON.

(2) THE HEALTH DEPARTMENT SHALL SEND A COPY OF THE APPLICATION FOR CONDITIONAL RELEASE:

(I) TO THE COMMITTED PERSON;

(II) TO COUNSEL FOR THE COMMITTED PERSON; AND

(III) TO THE STATE'S ATTORNEY, BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(B) COURT ACTION.

WITHIN 30 DAYS AFTER RECEIPT OF THE APPLICATION FROM THE HEALTH DEPARTMENT, THE COURT SHALL ISSUE AN ORDER THAT IS IN ACCORDANCE WITH § 3-114 OF THIS TITLE FOR:

(1) CONTINUED COMMITMENT; OR