

reference to "central repository of the criminal justice information system" to conform to the terminology used in Title 10, Subtitle 2 of this article.

Defined terms: "Committed person" § 3-101

"Court" § 3-101

"Health Department" § 3-101

"Hospital warrant" § 3-101

"Office" § 3-101

"Person" § 1-101

3-122. APPLICATION FOR CHANGE IN CONDITIONAL RELEASE.

(A) IN GENERAL.

(1) AN APPLICATION TO THE COURT FOR A CHANGE IN CONDITIONAL RELEASE OF A COMMITTED PERSON MAY BE MADE BY:

(I) THE HEALTH DEPARTMENT OR THE STATE'S ATTORNEY AT ANY TIME; OR

(II) THE COMMITTED PERSON NOT EARLIER THAN 6 MONTHS AFTER THE COURT ORDERED THE CONDITIONAL RELEASE, UNLESS THE COURT FOR GOOD CAUSE PERMITS AN EARLIER APPLICATION.

(2) THE APPLICANT FOR A CHANGE IN CONDITIONAL RELEASE SHALL NOTIFY THE COURT AND OTHER PARTIES, IN WRITING, OF THE APPLICATION AND THE REASONS FOR THE REQUESTED CHANGE.

(B) BURDEN OF PROOF.

THE BURDEN OF PROOF OF ANY ISSUE RAISED BY THE APPLICATION FOR CHANGE IN CONDITIONAL RELEASE RESTS WITH THE APPLICANT.

(C) COURT ACTION.

AFTER THE COURT CONSIDERS THE APPLICATION FOR CHANGE IN CONDITIONAL RELEASE AND THE EVIDENCE, IN ACCORDANCE WITH § 3-114 OF THIS TITLE, THE COURT SHALL:

- (1) CHANGE THE CONDITIONS;
- (2) IMPOSE APPROPRIATE ADDITIONAL CONDITIONS;
- (3) REVOKE THE CONDITIONAL RELEASE;
- (4) CONTINUE THE PRESENT CONDITIONS OF RELEASE; OR
- (5) EXTEND THE CONDITIONAL RELEASE BY AN ADDITIONAL TERM OF 5 YEARS.

(D) REAPPLICATION.