

SHALL BE RETURNED TO THE CUSTODY OF THE DIVISION OF CORRECTION OR THE LOCAL CORRECTIONAL FACILITY FROM WHICH THE INMATE WAS RELEASED.

(2) (I) A PAROLE HEARING FOR A PAROLEE RETURNED TO CUSTODY SHALL BE HELD TO CONSIDER WHETHER THE PAROLEE REMAINS INCAPACITATED AND SHALL BE HEARD PROMPTLY.

(II) A PAROLEE RETURNED TO CUSTODY UNDER THIS SUBSECTION SHALL BE MAINTAINED IN CUSTODY, IF THE INCAPACITATION IS FOUND TO NO LONGER EXIST.

(3) AN INMATE WHOSE MEDICAL PAROLE IS REVOKED FOR LACK OF CONTINUED INCAPACITATION MAY BE CONSIDERED FOR PAROLE IN ACCORDANCE WITH THE ELIGIBILITY REQUIREMENTS SPECIFIED IN § 7-301 OF THIS SUBTITLE.

(H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, PROVISIONS OF LAW RELATING TO VICTIM NOTIFICATION AND OPPORTUNITY TO BE HEARD SHALL APPLY TO PROCEEDINGS RELATING TO MEDICAL PAROLE.

(2) IN CASES OF IMMINENT DEATH, TIME LIMITS RELATING TO VICTIM NOTIFICATION AND OPPORTUNITY TO BE HEARD MAY BE WAIVED IN THE DISCRETION OF THE COMMISSION.

(I) ~~NOTWITHSTANDING~~ CONSISTENT WITH § 7-301(D)(4) OF THIS SUBTITLE, A MEDICAL PAROLE UNDER THIS SECTION FOR A PERSON SERVING A LIFE SENTENCE SHALL REQUIRE THE APPROVAL OF THE GOVERNOR.

(J) THE COMMISSION SHALL ISSUE REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, April 24, 2008.

CHAPTER 300

(House Bill 910)