

mental institution, public, corporate, or private designated by the Department for treatment. He shall at any time after three (3) months from the date of his confinement of examination and evaluation have the right to apply for his release pursuant to the provisions of Section 21 of this Article. Upon a negative report by the hospital, the court having jurisdiction shall order the person promptly released unless good cause for a contrary determination as to dangerousness is shown by the State's Attorney.

12.

If the Department of Mental Hygiene is of the view that a person committed pursuant to Section 8 or 11 of this Article (except during the first ninety (90) days of commitment following a finding of not guilty by reason of insanity) not otherwise subject to release without condition, may be released on condition without danger to himself or to the safety of the person or property of others, it shall make application for the release of such person in a report to the court by which such person was committed and shall present a copy of such application to the State's Attorney AND THE CLERK OF THE COURT of the county from which the defendant was committed. THE CLERK OF THE COURT SHALL SEND A COPY OF SUCH APPLICATION TO THE LAST COUNSEL FOR EACH SUCH PERSON. If the court is satisfied that the committed person may be released on condition without danger to himself or to the safety of the person or property of others, the court shall order his release on such reasonable conditions as the court determines to be necessary. If, within five (5) years after the conditional release of a committed person the court shall determine, after hearing evidence, that the conditions of release have not been fulfilled and that his continued release on conditions constitutes by reason of mental disease or defect a danger to himself or to the safety of the person or property of others, the court shall forthwith order him to be recommitted.

SEC. 2. *And be it further enacted,* That the provisions of this Act shall be applicable to all cases tried or scheduled for trial on and after the effective date of this Act.

SEC. 3. *And be it further enacted,* That all laws or parts of laws, public general or public local inconsistent with the provisions of this Act are hereby repealed to the extent of any such inconsistency.

SEC. 4. *And be it further enacted,* That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Act which can be given effect without the invalid provisions or application and to this end all the provisions of this Act are hereby declared to be severable.

SEC. 5. *And be it further enacted,* That this Act shall take effect June 1, 1967.

Approved May 4, 1967.