

State's Attorney to file a petition in the Circuit Court for that judicial district instituting a civil proceeding for the commitment of the defendant to the care and custody of the Authority. HOWEVER, NO PERSON MAY BE ELIGIBLE FOR COMMITMENT UNDER THIS SECTION IF HE IS PRESENTLY SERVING A SENTENCE IN A CORRECTIONAL INSTITUTION, IS AWAITING SENTENCING ON ANOTHER CONVICTION A CONVICTION OF A CRIME PUNISHABLE BY MORE THAN TEN YEARS IMPRISONMENT OR DEATH, EXCEPT LARCENY, OR HAS OTHER CRIMINAL CHARGES PENDING AGAINST HIM.

(b) In any commitment proceeding pursuant to this section, the provisions of subsection (b)(1) through subsection (e)(1), subsection (f), and subsection (g) of Section 9, and Section 10, and Section 11 shall apply; provided, however, that any provision enumerated above which is inconsistent with any provision of this section shall not apply.

~~(c) No person may be eligible for commitment under this section if he is presently serving a sentence in a correctional institution on another conviction, is awaiting sentencing on a conviction of a crime punishable by more than ten years imprisonment or death, except larceny, or has other criminal charges pending against him.~~

~~(d)~~ (C) Upon a determination that such person is a drug addict, the committing court shall certify such person to the care and custody of the Authority for a period commencing on the date the order of certification is made and terminating upon the first to occur of (i) the discharge of such drug addict by the Authority as rehabilitated, or (ii) the expiration of a period of ten years from the date such period commenced. However, the period of the initial in-patient care received by such addict immediately following an order of commitment under this section may not exceed three years. If on the second anniversary of the order of commitment such addict is still receiving initial in-patient care, the Authority shall advise the committing court whether in-patient care should be continued. The court may then affirm the commitment or terminate it and refer the addict to the court of his criminal conviction for the resumption of the pending criminal proceedings.

~~(e)~~ (D) Every drug addict certified to the Authority pursuant to this section shall receive initial in-patient care HOSPITALIZATION FOLLOWING AN ORDER OF COMMITMENT at the Center exclusively. If after sixty days following receipt at the Center of an addict committed pursuant to this section, the Authority concludes that the addict, because of excessive criminality or for other relevant reason, is not a fit subject for confinement or treatment in the Center, the Authority shall return the addict to the committing court for termination of the commitment and referral to the court of the addict's criminal conviction for the resumption of the pending criminal proceedings.

~~(f)~~ (E) A certification of a drug addict to the Authority pursuant to this section shall in no way void the criminal conviction in the court where the proceedings were adjourned to commence commitment proceedings under this section. If, at the expiration of the maximum period of commitment pursuant to this section, the Authority is unable to certify that an addict is rehabilitated, the Authority shall