

return such addict to the committing court for ultimate resumption of the pending criminal proceedings. In the above situation and in any instance when the Authority returns an addict to the committing court for ultimate resumption of pending criminal proceedings, such addict shall receive full credit toward the service of any sentence which may be imposed for any time spent in institutional custody from the commencement of his commitment proceedings to the date of the termination of the commitment.

~~(g)~~ (F) Upon the determination that a defendant in a commitment proceeding pursuant to this section is not a drug addict, the court shall so certify and return the defendant to the court of the pending criminal proceedings for such further proceedings as that judge deems warranted.

### 13. Commitment to the Authority of Persons Serving Sentences in Correctional Institutions.

Upon the approval of the State Parole Board, an inmate serving a sentence in any penal or correctional institution within this State who deems himself a drug addict may institute a proceeding for commitment to the Authority by voluntarily filing a petition with the circuit court for the judicial district where such penal or correctional institution is situated. No such inmate serving a sentence for a crime punishable by more than ten years imprisonment or death, except larceny, or who has other criminal charges pending against him, shall be eligible for commitment under this section. All conditions and provisions contained in subsection (b) and ~~subsection (d)~~ through subsection ~~(g)~~ (F) of Section 12 shall apply to commitments pursuant to this section; provided, however, that where reference is made to "the court of criminal conviction" and "the resumption of pending criminal proceedings," it shall be interpreted to mean for purposes of this section "the penal or correctional institution in which the inmate was serving a sentence" and "the resumption of the unexpired sentence."

### 14. Conditional Out-Patient Release.

(a) Any person who is certified by court order to the care and custody of the Authority pursuant to this Article shall be conditionally released from institutional custody and receive out-patient care and services whenever the Authority determines that he has made sufficient progress to warrant such release; provided, however, that if the Authority is unable to make such determination after the expiration of the period for initial in-patient care as provided for in this Article, the Authority shall return such person to the committing court for further action pursuant to this Article.

(b) Whenever any patient is to be conditionally released by the Authority, the Authority shall give written notice to the committing court within ten days of the pending release.

(c) Any person who is conditionally released as an out-patient shall, while on release, remain in the legal custody of the Authority. The period of every such conditional release shall be a minimum of three years in which the out-patient shall comply with the rules, regulations and conditions of such release as determined by the Authority. The Authority may designate any INDIVIDUAL, agency or group, public or private, to supervise approved after-care programs