

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1970.

Approved April 22, 1970

---

CHAPTER 392

(House Bill 1474)

AN ACT to repeal and re-enact, with amendments, Sections 12 and 13(b) of Article 31B of the Annotated Code of Maryland (1957 Edition, 1967 Replacement Volume, 1969 Supplement), title "Defective Delinquents," subtitle "Institutional Board of Review"; to provide that during vacancies in certain positions on the Board of Review, substitute members from the staff of the Institution may be appointed; and to eliminate certain necessary language regarding the method of review and reexamination by the Institutional Board of Review.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 12 and 13(b) of Article 31B of the Annotated Code of Maryland (1957 Edition, 1967 Replacement Volume, 1969 Supplement), title "Defective Delinquents," subtitle "Institutional Board of Review," be and they are hereby repealed and reenacted, with amendments, to read as follows:

12.

The Institutional Board of Review shall consist of the Director, the three Associate Directors, the Professor of the University of Maryland School of Law who is a member of the Advisory Board, either of the members of the Maryland bar who are members of the Advisory Board, and a sociologist to be appointed by the Board of Patuxent Institution from the faculty of an accredited institution of higher education in Maryland. Four members, including either the Professor of Law or one of the members of the bar who is a member of the Advisory Board shall constitute a quorum. *The Board of Patuxent Institution if the position of Director is vacant, or the Director if a position of Associate Director is vacant, shall appoint from the staff of the Institution a substitute member of the Institutional Board of Review to serve during the vacancy.*

13.

(b) The Institutional Board of Review shall review and thoroughly reexamine every person held in custodial care as a defective delinquent, not less frequently than once in every calendar year. Such review and reexamination shall be to determine whether such person shall remain classified as a defective delinquent ~~†~~, and in making such determination the Board shall assemble such information, use such tests and follow such procedures as then are being utilized ~~[in the first instance by the institution for defective delinquents]~~ to indicate the presence of defective delinquency~~‡~~. The Board shall make a recommendation for the future status and treatment of each person so reviewed and reexamined, in writing, and a