

25. *Test of responsibility for criminal conduct; plea of insanity; examination by Department of Mental Hygiene; jury verdict as to insanity.*

(a) *A defendant is not responsible for criminal conduct and shall be found insane at the time of the commission of the alleged crime if, at the time of such conduct as a result of mental disorder, he lacks substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of law. As used in this section, the terms "mental disorder" do not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct.*

(b) *When it is desired to interpose the defense of insanity on behalf of one charged with the commission of a crime the defendant or his counsel shall at the time of pleading to the warrant, indictment or information unless the court for good cause shown shall allow a later plea, file a plea in writing in addition to the plea or pleas otherwise required or permitted by law, alleging that the defendant was insane at time of the commission of the alleged crime. The judge of the court in which such warrant, indictment or information is pending and in which such plea of insanity has been entered shall have full power and authority to order an examination of the mental condition of such person by the Department of Mental Hygiene, subject to the provisions of Section 26 of this Article. At the trial of any case where there has been theretofore filed a plea of insanity at the time of the commission of the crime, the court shall direct the jury to render a special verdict on the sanity of the defendant at the time of the alleged crime. No such verdict as to insanity of the defendant at the time of the alleged crime shall be directed or accepted unless a plea in writing alleging that the defendant was insane at the time of the commission of the alleged crime shall have been filed by the defendant or his counsel.*

26. *Time of forwarding Department's reports as to insanity at the time of commission of offense and competency to stand trial.*

*Where a defendant shall have interposed a plea in writing pursuant to Section 25 of this article alleging that he was insane at the time of the commission of the alleged crime, the Department shall forward a report of its opinions relating to insanity at the time of commission of the alleged offense and to competency to stand trial, to the court having jurisdiction over the defendant within sixty (60) days after referral. Where no plea alleging insanity at the time of the commission of the alleged offense has been interposed by the defendant, the Department shall forward its report of opinion as to competency to stand trial within thirty (30) days after referral, if the allegation of incompetency was made by or on behalf of the defendant, or within ~~fifteen~~ (15) THIRTY (30) days after referral, if the allegation of incompetency was made by the court upon its own motion. IN ALL CASES, IT SHALL BE THE RIGHT OF THE DEFENDANT TO HAVE THE REPORT FILED WITHIN THE TIME SPECIFIED HEREIN. In all cases, the order of court referring the defendant for examination shall recite the applicable time period for examination which may be extended by subsequent order of court for good cause shown.*

27. *Committal to Department of person found not guilty by reason of insanity; examination and report; confinement or release.*