

SECTION 3. AND BE IT FURTHER ENACTED, That Section 12(a) of Article 43B - Comprehensive Drug Abuse Control and Rehabilitation Act, of the Annotated Code of Maryland (1971 Replacement Volume and 1973 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 43B - Comprehensive Drug Abuse Control
and Rehabilitation Act

12.

(a) Upon conviction of a defendant of any crime in any court of this State having competent jurisdiction, if it appears to the presiding judge by any reason that the defendant may be a drug addict, and the judge elects to proceed herein, the judge shall adjourn the proceedings, suspend the imposition of sentence, and may order the State's attorney to file a petition in the appropriate circuit or [district court] DISTRICT COURT instituting a civil proceeding for the commitment of the defendant to the care and custody of the Authority. However, if the defendant notifies the presiding judge of his desire to be committed to the care and custody of the Authority, the judge may order the defendant's attorney or State's attorney to file the petition in the appropriate circuit or [district court] DISTRICT COURT. 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 a conviction of a crime punishable by more than ten years imprisonment or death, except larceny, or has other criminal charges pending against him.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 22(e) of Article 59 - Mental Hygiene, of the Annotated Code of Maryland (1972 Replacement Volume and 1973 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 59 - Mental Hygiene

22.

(e) If the petitioner is a peace officer of the rank of sergeant or higher or a duly licensed physician, the petition shall receive judicial review within twenty-four (24) hours of the time the emergency admittee was taken into custody. The judicial review shall consist of a hearing before any judge of a [district court] DISTRICT COURT or circuit court for the purpose of reviewing the petition, interviewing the petitioner and considering all the other pertinent data, including the