

Approved May 27, 1980.

CHAPTER 840

(Senate Bill 873)

AN ACT concerning

Mental Hygiene Laws - Evaluation in Criminal Cases

FOR the purpose of altering the requirement of the Department of Health and Mental Hygiene for forwarding reports as to insanity from 30 days to 7 days; ~~repealing~~ amending certain provisions of laws relating to the confinement of criminal defendants that remain in custody after referral by a court for a criminal competency examination; ~~repealing these provisions that provide for the transportation of these persons to an evaluation facility and their return from the facility after the evaluation is completed.~~

BY repealing and reenacting, with amendments,

Article 59 - Mental Hygiene
Section 26
Annotated Code of Maryland
(1979 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 59 - Mental Hygiene

26.

(a) Where a defendant interposed a plea in writing pursuant to § 25 of this article, 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 60 days after referral.

(b) 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 [30] 7 days after referral, if the allegation of incompetency was made by or on behalf of the defendant, or within [30] 7 days after referral, if the allegation of incompetency was made by the court upon its own motion.
