

FOR the purpose of requiring the Department of Health and Mental Hygiene to accept certain persons committed to its custody; changing the commitment--authority--of District-Court-judges-in-cases-affecting-alcoholics--or drug-addicts-charged-with-a-criminal-offense procedures for judicial commitment of alcoholics and drug addicts charged with a criminal offense; and altering provisions pertaining to the termination of the commitment of these persons.

BY repealing and reenacting, with amendments,

Article 16 - Chancery
Section 49
Annotated Code of Maryland
(1973 Replacement Volume and 1979 Supplement)

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 4-305(a)
Annotated Code of Maryland
(1980 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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 16 - Chancery

49.

When any person charged with the commission of a criminal offense is shown to the satisfaction of the judge before whom he is brought to be suffering from chronic alcoholism, or who is habitually addicted to the use of narcotic drugs as that term is defined in Section 277(Q) of Article 27 of this Code as amended from time to time, the judge may commit him to [one of the State hospitals] THE STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE for evaluation, treatment and observation, under terms and conditions as he may determine. THE DEPARTMENT SHALL ACCEPT CUSTODY OF THE PERSON SO COMMITTED. The commitment shall be for not less than 96 hours or for more than six weeks. The superintendent-of-the-hospital-or-other--facility SECRETARY OF HEALTH AND MENTAL HYGIENE, OR HIS DESIGNEE, may terminate the commitment at any time after 96 hours upon his determination that further continued commitment will not be in the best interests of the patient or serve any useful purpose. In the case of a user of narcotic drugs, the commitment shall be made by the judge only after consultation with the superintendent-of-the-mental-hospital to-which-the-commitment-is-to-be-made DEPARTMENT OF HEALTH AND MENTAL HYGIENE. THE COMMITTING COURT SHALL BE NOTIFIED BY THE SECRETARY, OR HIS DESIGNEE, OF THE PROPOSED RELEASE DATE AND THE TIME OF RELEASE PRIOR TO THAT RELEASE.