

In subsection (i) of this section, the word "{ a }ppropriate" is added to recognize that, in practice, a verbatim transcript of proceedings is not filed. Instead, the clerk of court summarizes, in a letter, the proceedings and their effect, and the letter is filed in the record of the individual.

The only other changes are in style.

The Commission to Revise the Annotated Code takes no position on whether the petition must be filed in federal court if the individual is in a Veterans' Administration hospital.

Defined terms: "Administration" § 7-101  
 "Admission" § 7-101 "Person" § 1-101  
 "County" § 1-101 "Private facility" § 7-101  
 "Facility" § 7-101 "Public facility" § 7-101  
 "Mentally retarded individual" § 7-101 "Release" § 7-701  
 "Treatment" § 7-101

7-706. ADMINISTRATIVE RELEASE.

(A) "RESPONSIBLE OFFICIAL" DEFINED.

IN THIS SECTION, "RESPONSIBLE OFFICIAL" MEANS:

(1) IF THE INDIVIDUAL IS HELD IN A STATE FACILITY, THE DIRECTOR; OR

(2) IF THE INDIVIDUAL IS HELD IN A VETERANS' ADMINISTRATION HOSPITAL, THE CHIEF OFFICER OF THE VETERANS' ADMINISTRATION HOSPITAL.

(B) FULL RELEASE.

AT THE DIRECTION OF THE RESPONSIBLE OFFICIAL, AN INDIVIDUAL WHO HAS BEEN ADMITTED UNDER THIS TITLE SHALL BE RELEASED FROM A STATE FACILITY OR A VETERANS' ADMINISTRATION HOSPITAL IF THE INDIVIDUAL:

(1) IS NOT A MENTALLY RETARDED INDIVIDUAL; OR

(2) IS A MENTALLY RETARDED INDIVIDUAL BUT DOES NOT NEED IN-RESIDENCE TREATMENT TO PROTECT THE INDIVIDUAL OR ANOTHER.

(C) CONDITIONAL RELEASE.

(1) AT THE DIRECTION OF THE RESPONSIBLE OFFICIAL, ANY INDIVIDUAL WHO HAS BEEN ADMITTED UNDER THIS TITLE MAY BE RELEASED CONDITIONALLY FROM A STATE FACILITY OR A VETERANS' ADMINISTRATION HOSPITAL, IF, IN THE JUDGMENT OF THE RESPONSIBLE OFFICIAL, THE INDIVIDUAL: