

(2) IF THE PETITIONER DOES NOT HAVE COUNSEL, ADVISE THE PETITIONER OF THE PETITIONER'S RIGHT TO COUNSEL; AND

(3) ADVISE THE PETITIONER THAT:

(I) IF THE COURT FINDS REASONABLE GROUNDS TO BELIEVE THAT THE PETITIONER IS A DRUG ABUSER, THE COURT WILL ORDER THE PETITIONER TO HAVE A MEDICAL EXAMINATION;

(II) AFTER THE MEDICAL EXAMINATION, THE PETITIONER MUST APPEAR AGAIN BEFORE THE COURT;

(III) IF THE PETITION AND THE REPORT OF THE MEDICAL EXAMINATION SET FORTH REASONABLE GROUNDS TO BELIEVE THAT THE PETITIONER IS A DRUG ABUSER, THE COURT MAY COMMIT THE PETITIONER TO THE ADMINISTRATION; AND

(IV) BEFORE COMMITMENT MAY BE ORDERED, THE PETITIONER HAS A RIGHT TO A HEARING.

REVISOR'S NOTE: Items (1) and (3) of this section are new language derived without substantive change from the first and second sentences of former Article 43B, § 9(f), as those sentences related to petitions by the alleged drug abuser.

Item (2) of this section is new language added as a reference to the right of the individual to counsel, which now appear in § 9-605 of this subtitle. See also § 9-607(b) of this subtitle.

Throughout this section, the former references to a "drug addict" are deleted as unnecessary in light of the use of the defined term "drug abuser", which includes a drug addict.

In item (3) of this section, the former reference to a medical examination "at a facility designated by the Administration" is deleted as unnecessary in light of § 9-608(2) of this subtitle.

The third sentence of former Article 43B, § 9(d) is deleted as unnecessary and erroneous. It stated that the provisions of this section apply after "the court determines that there are reasonable grounds to believe such person is a drug addict or drug abuser", while the provisions of former Article 43B, § 9(f) indicated that the court advises the petitioner as provided in this section before any determination. See item (3)(i) of this section.

Defined terms: "Administration" § 9-101