

The phrase "does not commit" is substituted for the reference to a determination that the individual "is not a drug addict", since a finding of drug addiction no longer results in automatic commitment to the Administration.

Although, under former Article 43B, § 12(b), former Article 43B, § 9(j) -- which provided for discharge of the individual -- could extend to a proceeding under Part IV of this subtitle, that provision appeared inconsistent with former Article 43B, § 12(f) and, therefore, is not set forth in Part IV of this subtitle.

9-635. RESERVED.

9-636. RESERVED.

PART V. COMMITMENT OF INMATE IN CORRECTIONAL INSTITUTION.

9-637. SCOPE OF PART V.

AN INDIVIDUAL MAY NOT BE COMMITTED UNDER PART V OF THIS SUBTITLE IF THE INDIVIDUAL:

(1) IS SERVING A SENTENCE FOR A CRIME OTHER THAN THEFT, IF THE CRIME IS PUNISHABLE BY MORE THAN 10 YEARS IMPRISONMENT OR BY DEATH; OR

(2) IS CHARGED WITH ANOTHER CRIME.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Article 43B, § 13.

9-638. PETITION.

(A) IN GENERAL.

IF AN INMATE IN A CORRECTIONAL INSTITUTION IN THIS STATE BELIEVES THAT THE INMATE IS A DRUG ADDICT, THEN WITH THE APPROVAL OF THE MARYLAND PAROLE COMMISSION, THE INMATE MAY FILE A PETITION TO BE COMMITTED TO THE ADMINISTRATION AS PROVIDED IN PART V OF THIS SUBTITLE.

(B) JURISDICTION AND VENUE.

A PETITION UNDER THIS SECTION MAY BE FILED WITH THE CIRCUIT COURT FOR THE COUNTY WHERE THE CORRECTIONAL INSTITUTION IS LOCATED.

(C) PETITION.

A PETITION UNDER THIS SECTION SHALL: