

In subsection (d)(2) of this section, the reference to returning the individual for "termination of the commitment" is substituted for the reference to "further action pursuant to this article", for clarity.

Defined term: "Administration" § 9-101

9-650. DISCHARGE ON REHABILITATION.

(A) IN GENERAL.

SUBJECT TO THE LIMITATIONS OF THIS SECTION, THE ADMINISTRATION SHALL DISCHARGE AS REHABILITATED AN INDIVIDUAL WHO HAS BEEN COMMITTED TO THE ADMINISTRATION IF THE ADMINISTRATION BELIEVES THAT THE INDIVIDUAL:

(1) SUBSTANTIALLY HAS REFRAINED FROM THE USE OF UNAUTHORIZED DRUGS;

(2) WHILE AN OUTPATIENT, HAS COMPLIED WITH THE RULES AND REGULATIONS OF THE TREATMENT AGENCY FOR AT LEAST 2 CONSECUTIVE YEARS; AND

(3) OTHERWISE HAS COMPLIED WITH THE CONDITIONS OF RELEASE.

(B) CERTIFICATE OF DISCHARGE.

AT LEAST 10 DAYS BEFORE THE DISCHARGE OF AN INDIVIDUAL AS REHABILITATED, THE ADMINISTRATION SHALL FILE A CERTIFICATE OF DISCHARGE WITH THE COURT THAT ORDERED COMMITMENT.

(C) LIMITS ON DISCHARGE.

(1) THE ADMINISTRATION:

(I) MAY NOT DISCHARGE WITHIN THE FIRST 2 YEARS OF COMMITMENT ANY INDIVIDUAL WHO HAS BEEN COMMITTED UNDER PART IV OR V OF THIS SUBTITLE; AND

(II) ON OR BEFORE THE EFFECTIVE DATE OF DISCHARGE, SHALL RETURN THE INDIVIDUAL TO THE COURT THAT ORDERED COMMITMENT.

(2) ON RETURN OF THE INDIVIDUAL, THE COURT SHALL ORDER, AS APPROPRIATE:

(I) THE TERMINATION OF THE PENDING CRIMINAL PROCEEDING WITHOUT IMPOSITION OF SENTENCE; OR

(II) THE UNCONDITIONAL SUSPENSION OF THE UNEXPIRED SENTENCE.