

ADMINISTRATION DOES NOT DISCHARGE THE INDIVIDUAL AS REHABILITATED, THE ADMINISTRATION SHALL RETURN THE INDIVIDUAL TO THE COURT THAT ORDERED COMMITMENT, FOR ITS TERMINATION.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from former Article 43B, § 15(d).

Subsection (b) of this section is new language derived without substantive change from the second sentence of former Article 43B, § 12(e) and revised to apply to commitments under Parts IV and V of this subtitle. See revisor's note to § 9-601 of this subtitle.

In subsection (b) of this section, the phrase "for its termination" is substituted for "ultimate resumption of the pending criminal proceeding", since an inmate resumes serving the sentence. See § 9-653 of this subtitle.

Defined term: "Administration" § 9-101

9-653. TERMINATION OF COMMITMENT.

(A) IN GENERAL.

(1) IF A COURT TERMINATES THE COMMITMENT OF AN INDIVIDUAL WHO WAS COMMITTED UNDER PART IV OF THIS SUBTITLE, THE COURT SHALL REFER THE INDIVIDUAL TO THE CRIMINAL COURT WITH JURISDICTION OVER THE INDIVIDUAL, FOR RESUMPTION OF THE PENDING CRIMINAL PROCEEDING.

(2) IF A COURT TERMINATES THE COMMITMENT OF AN INDIVIDUAL WHO WAS COMMITTED UNDER PART V OF THIS SUBTITLE, THE COURT SHALL REFER THE INDIVIDUAL TO THE CORRECTIONAL INSTITUTION, FOR RESUMPTION OF THE SENTENCE.

(B) CREDIT.

FOR THE TIME THAT THE INDIVIDUAL SPENT IN INSTITUTIONAL CUSTODY BETWEEN THE DATE ON WHICH THE COMMITMENT PROCEEDING BEGAN AND THE COMMITMENT ENDED, THE INDIVIDUAL SHALL RECEIVE FULL CREDIT TOWARDS ANY SENTENCE.

REVISOR'S NOTE: This section is new language derived without substantive change from the seventh sentence of former Article 43B, § 12(c), the second clause of (d), and the third sentence of (e) and the second clause of the third sentence of § 13.

The first sentence of former Article 43B, § 12(e), which stated that the criminal proceeding