

"INSANE" MEANS NOT RESPONSIBLE FOR CRIMINAL CONDUCT UNDER THE RULE SET FORTH IN § 12-107 OF THIS TITLE.

REVISOR'S NOTE: This subsection is new language added to permit concise reference to defendants who raise the defense of insanity and individuals who are not guilty because of insanity.

The word "insane" is intended to include the other forms of that word that are used in this title.

(E) JAIL.

"JAIL" MEANS A JAIL, DETENTION CENTER, OR CORRECTIONAL FACILITY.

REVISOR'S NOTE: This subsection is new language added to avoid repetition of the phrase "jail, detention center, or correctional facility".

(F) MENTAL DISORDER.

(1) "MENTAL DISORDER" MEANS:

(I) A MENTAL ILLNESS THAT SO SUBSTANTIALLY IMPAIRS THE MENTAL OR EMOTIONAL FUNCTIONING OF AN INDIVIDUAL AS TO MAKE CARE OR TREATMENT NECESSARY OR ADVISABLE FOR THE WELFARE OF THE INDIVIDUAL OR FOR THE SAFETY OF THE PERSON OR PROPERTY OF ANOTHER; OR

(II) ANY OTHER FORM OF BEHAVIORAL OR EMOTIONAL ILLNESS THAT RESULTS FROM A PSYCHIATRIC OR NEUROLOGICAL DISORDER.

(2) "MENTAL DISORDER" DOES NOT INCLUDE:

(I) MENTAL RETARDATION; OR

(II) IN DETERMINING WHETHER A DEFENDANT IS INSANE, AN ABNORMALITY THAT IS MANIFESTED ONLY BY REPEATED CRIMINAL OR OTHERWISE ANTISOCIAL CONDUCT.

REVISOR'S NOTE: Paragraph (1) of this subsection is new language that combines, without substantive change, the first sentence of former Article 59, § 3(f) and the first sentence of (g).

Paragraph (2) of this subsection is new language derived without substantive change from the first clause of the second sentence of former Article 59, § 3(f) and the second sentence of § 25(a).

The term "mental illness" and its derivatives