

CONDITIONAL RELEASE IS RENDERED, THE COURT SHALL RELEASE THE INDIVIDUAL ON APPROPRIATE CONDITIONS.

(D) LATER REVIEW.

(1) AFTER REVIEW UNDER THIS SECTION, AN INDIVIDUAL MAY REAPPLY FOR RELEASE ONLY ONCE IN ANY 1-YEAR PERIOD, UNLESS THE INDIVIDUAL FILES, WITH THE PETITION OR REQUEST, AN AFFIDAVIT THAT SHOWS AN IMPROVEMENT IN THE MENTAL CONDITION OF THE INDIVIDUAL AFTER THE REVIEW.

(2) AN AFFIDAVIT THAT ANOTHER PATIENT EXECUTES IS NOT VALID.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 27C(a), as that subsection related to release from confinement, (c), (d), and (e).

As to subsections (b)(1) and (c)(4)(i) of this section and the addition of the references "mentally retarded" and "mental retardation", see revisor's note to § 12-101(f) of this title.

In subsection (b)(1) of this section, the issues to be determined are substituted for the cross-reference "in accordance with the issues set out in § 27(c)", for clarity.

Similarly, in subsection (c) of this section, the applicable provisions of former Article 59, § 15 are repeated and combined with those provisions of former Article 59, § 27C(e), as to judicial release. Therefore, the former cross-reference to "the provisions of § 15 of this article subject to the procedures set forth in subsection (e) of this section" is deleted as unnecessary.

In subsection (c)(4) of this section, reference to the "trier of fact" is substituted for references to "the jury", since, absent a jury, these duties apply to the court.

In subsection (c)(4)(ii)1. of this section, reference to "continued confinement" is substituted for "retain as an in-patient" for conformity to similar references. However, this substitution is not intended to affect the degree of confinement, which varies with the progress of the individual.

In subsection (d) of this section, the applicable provisions of former Article 59, § 15(g) are repeated. Therefore, the former reference to "an affidavit similar to the one described in §