

CONDITIONS;

(III) REVOKE THE CONDITIONAL RELEASE; OR

(IV) CONTINUE THE CONDITIONS.

(5) (I) AFTER REVIEW UNDER THIS SUBSECTION, AN INDIVIDUAL MAY REAPPLY FOR A CHANGE OF THE CONDITIONS ONLY ONCE IN ANY 1-YEAR PERIOD, UNLESS THE INDIVIDUAL FILES, WITH THE PETITION, AN AFFIDAVIT THAT SHOWS AN IMPROVEMENT IN THE MENTAL CONDITION OF THE INDIVIDUAL AFTER REVIEW.

(II) 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, § 27B(e), (g), and (i) and § 27C(a), as that subsection related to conditional releases, and (b).

Subsection (a)(2) and (3) of this section is revised to the specific findings required under former Article 59, § 27B(e) and the requirements of former Article 59, § 27B(i), which applied to those findings, for clarity.

As to subsection (a)(2) of this section and the addition of the words "mental retardation", see revisor's note to § 12-101(f) of this title.

In subsection (b)(2) of this section, the phrase "at any time" is added to clarify that applications by the State's attorney and Department are not subject to the time constraints imposed on the individual under subsection (b)(1) and (5) of this section.

In subsection (b)(5) 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 § 15(g)" is deleted.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly, that the power to revoke a conditional release under subsection (b)(4)(iii) of this section may have been included inadvertently. In this regard, the Commission notes that application for revocation is not authorized expressly in this section, although § 12-116(d) of this title authorizes an application for revocation as provided in subsection (b) of this section. Also, the findings that a court is required to