

court; requiring the Health Department to submit certain reports containing certain information within certain time periods to certain persons; requiring a certain clerk of court to give a certain report to certain persons; requiring that a certain victim or victim's representative be notified regarding a certain individual who is committed to the custody of a Health Department facility under certain circumstances if certain events occur after certain criminal charges are dismissed; and generally relating to criminal defendants and incompetency and criminal responsibility.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 3-104 through 3-108, inclusive

Annotated Code of Maryland

(2001 Volume and 2005 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 3-123(a), (b), and (c)

Annotated Code of Maryland

(2001 Volume and 2005 Supplement)

BY adding to

Article – Criminal Procedure

Section 3-123(l)

Annotated Code of Maryland

(2001 Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Criminal Procedure**

3-104.

(a) If, before or during a trial, the defendant in a criminal case OR A VIOLATION OF PROBATION PROCEEDING appears to the court to be incompetent to stand trial or the defendant alleges incompetence to stand trial, the court shall determine, on evidence presented on the record, whether the defendant is incompetent to stand trial.

(b) If, after receiving evidence, the court finds that the defendant is competent to stand trial, the trial shall begin as soon as practicable or, if already begun, shall continue.

(c) At any time [during the trial and] before ~~THE verdict IS FINAL JUDGMENT~~, the court may reconsider the question of whether the defendant is incompetent to stand trial.