

(2005 Replacement Volume and 2005 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8-507(b), (c), and (e)

Annotated Code of Maryland

(2005 Replacement Volume and 2005 Supplement)

BY adding to

Article – Health – General

Section 8-507(c)

Annotated Code of Maryland

(2005 Replacement Volume and 2005 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 8-507(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2005 Supplement)

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

Article – Health – General

8-507.

[(a) This section applies only to a defendant for whom:

- (1) No sentence of incarceration is currently in effect; and
- (2) No detainee is currently lodged.]

[(b)] (A) Subject to the limitations in this section, a court that finds in a criminal case that a defendant has an alcohol or drug dependency may commit the defendant as a condition of release, after conviction, or at any other time the defendant voluntarily agrees to participate in treatment, to the Department for treatment that the Department recommends, even if:

(1) The defendant did not timely file a motion for reconsideration under Maryland Rule 4-345; or

(2) The defendant timely filed a motion for reconsideration under Maryland Rule 4-345 which was denied by the court.

[(c)] (B) Before a court commits a defendant to the Department under this section, the court shall:

- (1) Offer the defendant the opportunity to receive treatment;
- (2) Obtain the written consent of the defendant: