

Senate Bill No. 807

AN ACT concerning

Criminal Procedure - Criminal Defendants - Incompetency and Criminal Responsibility

FOR the purpose of requiring a court, under certain circumstances, to determine, on evidence presented on the record, whether a defendant is incompetent to stand trial for a violation of probation proceeding; authorizing a court to reconsider the question of whether a defendant is incompetent to stand trial at any time before final judgment; prohibiting the admissibility of a statement made by a defendant in the course of a certain evaluation or a report prepared as the result of a certain evaluation from being used to prove the commission of a criminal offense or to enhance the sentence of the defendant; authorizing a court to take certain actions after the court makes a certain determination at a competency hearing; authorizing the court to order commitment of a certain person in a Health Department facility under certain circumstances; requiring a court to hold a hearing to determine whether a certain person continues to meet certain criteria for commitment to a Health Department facility under certain circumstances; authorizing a court to hold a certain conference or hearing to review the status of the case of a certain person; requiring a court to order commitment of a certain person to a certain medical facility under certain circumstances; requiring a court to reconsider, under certain circumstances, a certain determination for a certain person released on bail or on recognizance; requiring a court to dismiss, under certain circumstances, a certain charge after passage of certain time periods; requiring a certain notification to a certain person who has filed a certain request for notification; requiring the Health Department to submit a certain report containing certain information to the 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