

STAND TRIAL OR A DANGER TO SELF OR THE PERSON OR PROPERTY OF ANOTHER BECAUSE OF MENTAL RETARDATION OR A MENTAL DISORDER.

(3) AT A HEARING UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT MAY MODIFY OR IMPOSE ADDITIONAL CONDITIONS OF RELEASE ON THE DEFENDANT.

(4) IF THE COURT FINDS, AT A HEARING UNDER PARAGRAPH (1) OF THIS SUBSECTION, THAT THE DEFENDANT IS INCOMPETENT AND IS NOT LIKELY TO BECOME COMPETENT IN THE FORESEEABLE FUTURE AND IS A DANGER TO SELF OR THE PERSON OR PROPERTY OF ANOTHER BECAUSE OF MENTAL RETARDATION OR A MENTAL DISORDER, THE COURT SHALL REVOKE THE PRETRIAL RELEASE OF THE DEFENDANT AND:

(I) CIVILLY COMMIT THE DEFENDANT IN ACCORDANCE WITH PARAGRAPH (1) OF SUBSECTION (D) OF THIS SECTION; OR

(II) ORDER CONFINEMENT OF THE DEFENDANT IN ACCORDANCE WITH SUBSECTION (D)(2) OF THIS SECTION.

[(d)](G) If the defendant is found incompetent to stand trial, defense counsel may make any legal objection to the prosecution that may be determined fairly before trial and without the personal participation of the defendant.

[(e)](H) The court shall notify the Criminal Justice Information System Central Repository of any commitment ordered or release authorized under this section and of any determination that a defendant is no longer incompetent to stand trial.

3-107.

(a) WHETHER OR NOT THE DEFENDANT IS CONFINED AND UNLESS THE STATE PETITIONS THE COURT FOR EXTRAORDINARY CAUSE TO EXTEND THE TIME, THE COURT SHALL DISMISS THE CHARGE AGAINST A DEFENDANT FOUND INCOMPETENT TO STAND TRIAL UNDER THIS SUBTITLE:

(1) WHEN CHARGED WITH A CAPITAL OFFENSE, AFTER THE EXPIRATION OF 10 YEARS;

(2) WHEN CHARGED WITH A FELONY OR A CRIME OF VIOLENCE AS DEFINED UNDER § 14-101 OF THE CRIMINAL LAW ARTICLE, AFTER THE LESSER OF THE EXPIRATION OF 5 YEARS OR THE MAXIMUM SENTENCE FOR THE MOST SERIOUS OFFENSE CHARGED; OR

(3) WHEN CHARGED WITH AN OFFENSE NOT COVERED UNDER PARAGRAPH (1) OR (2) OF THIS SUBSECTION, AFTER THE LESSER OF THE EXPIRATION OF 3 YEARS OR THE MAXIMUM SENTENCE FOR THE MOST SERIOUS OFFENSE CHARGED.

(B) Whether or not the defendant is confined, if the court considers that resuming the criminal proceeding would be unjust because so much time has passed