

to permit the court to hold a hearing on its own initiative. The words "administrative" and "judicial" are added for clarity.

The former provision that the court may order a transcript of the administrative hearing is deleted as duplicative of the reference to a transcript ordered by the court in § 12-114(e) of this title.

12-117. COURT ACTION ON REPORT.

(A) ORDER AFTER JUDICIAL HEARING.

WITHIN 15 DAYS AFTER A JUDICIAL HEARING ENDS OR IS WAIVED, THE COURT SHALL DETERMINE WHETHER THE EVIDENCE INDICATES THAT THE COMMITTED INDIVIDUAL PROVED BY A PREPONDERANCE OF THE EVIDENCE ELIGIBILITY FOR RELEASE, WITH OR WITHOUT CONDITIONS, IN ACCORDANCE WITH § 12-113 OF THIS TITLE, AND ENTER AN APPROPRIATE ORDER CONTAINING A CONCISE STATEMENT OF THE FINDINGS OF THE COURT, THE REASONS FOR THOSE FINDINGS, AND ORDERING:

- (1) CONTINUED COMMITMENT;
- (2) CONDITIONAL RELEASE; OR
- (3) DISCHARGE FROM COMMITMENT.

(B) ORDER WITHOUT JUDICIAL HEARING.

(1) IF TIMELY EXCEPTIONS ARE NOT FILED, AND, ON REVIEW OF THE HEARING OFFICER'S REPORT OF RECOMMENDATIONS, THE COURT DETERMINES THAT THE RECOMMENDATIONS ARE SUPPORTED BY THE EVIDENCE AND A JUDICIAL HEARING IS NOT NECESSARY, THE COURT SHALL ENTER AN ORDER IN ACCORDANCE WITH THE RECOMMENDATIONS WITHIN 30 DAYS AFTER RECEIVING THE HEARING OFFICER'S REPORT.

(2) A COURT MAY NOT ENTER AN ORDER THAT IS NOT IN ACCORDANCE WITH THE HEARING OFFICER'S RECOMMENDATIONS UNLESS THE COURT HOLDS A HEARING OR THE HEARING IS WAIVED.

(C) ORDER FOR CONDITIONAL RELEASE.

UNLESS EXTENDED UNDER § 12-121 OF THIS TITLE, THE COURT MAY NOT CONTINUE THE CONDITIONS OF A CONDITIONAL RELEASE FOR MORE THAN 5 YEARS.

(D) INCLUSION IN CENTRAL COMPUTER DATA.

THE COURT SHALL NOTIFY THE CENTRAL REPOSITORY OF THE CRIMINAL JUSTICE INFORMATION SYSTEM ANY TIME IT ORDERS CONDITIONAL RELEASE OR DISCHARGE OF A COMMITTED INDIVIDUAL.

(E) APPEALS.

(1) AN APPEAL FROM A DISTRICT COURT ORDER SHALL BE ON THE RECORD IN THE CIRCUIT COURT.