

(II) SEND COPIES OF THE REPORT TO THE COMMITTED INDIVIDUAL, COUNSEL FOR THE COMMITTED INDIVIDUAL, THE STATE'S ATTORNEY, AND THE DEPARTMENT.

(2) WITHIN 5 DAYS AFTER RECEIPT OF THE HEARING OFFICER'S REPORT, THE COMMITTED INDIVIDUAL, THE STATE'S ATTORNEY, OR THE DEPARTMENT MAY FILE EXCEPTIONS TO THE DETERMINATION OF THE HEARING OFFICER.

(I) COURT ACTION.

AFTER THE COURT CONSIDERS THE HEARING OFFICER'S REPORT, THE EVIDENCE, AND ANY EXCEPTIONS FILED, WITHIN 10 DAYS AFTER THE COURT RECEIVES THE REPORT, THE COURT SHALL:

(1) REVOKE THE CONDITIONAL RELEASE AND ORDER THE COMMITTED INDIVIDUAL RETURNED TO THE FACILITY DESIGNATED BY THE DEPARTMENT;

(2) MODIFY THE CONDITIONAL RELEASE AS REQUIRED BY THE EVIDENCE;

(3) CONTINUE THE PRESENT CONDITIONS OF RELEASE; OR

(4) EXTEND THE CONDITIONAL RELEASE BY AN ADDITIONAL TERM OF 5 YEARS.

(J) INCLUSION IN CENTRAL COMPUTER DATA.

THE COURT SHALL NOTIFY THE CENTRAL REPOSITORY OF THE CRIMINAL JUSTICE INFORMATION SYSTEM OF ANY REVOCATION IT ORDERS UNDER THIS SECTION.

(K) APPEAL.

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

(2) AN APPEAL FROM A CIRCUIT COURT ORDER SHALL BE BY APPLICATION FOR LEAVE TO APPEAL TO THE COURT OF SPECIAL APPEALS.

TASK FORCE COMMENT TO § 12-120.

This section replaces Health - General Article, § 12-115. The Governor's Task Force to Review the Defense of Insanity recommends the following changes.

Subsections (a)(1) and (b) of this section are new provisions to establish procedure in the event a report alleging violation of a conditional release is received by the State's Attorney or the Department instead of the court, as formerly provided.