

(a) Subject to the limitations of this section, the Administration shall discharge as rehabilitated an individual who has been committed to the Administration if the Administration believes that the individual:

(1) Substantially has refrained from the use of unauthorized drugs;

(2) While an outpatient, has complied with the rules and regulations of the treatment agency for at least 2 consecutive years; and

(3) Otherwise has complied with the conditions of release.

(b) At least 10 days before the discharge of an individual as rehabilitated, the Administration shall file a certificate of discharge with the court that ordered commitment.

(c) (1) The Administration:

(i) May not discharge within the first 2 years of commitment any individual who has been committed under Part IV [or V] of this subtitle; and

(ii) On or before the effective date of discharge, shall return the individual to the court that ordered commitment.

(2) On return of the individual, the court shall order[, as appropriate:

(i) The] THE termination of the pending criminal proceeding without imposition of sentence[; or

(ii) The unconditional suspension of the unexpired sentence].

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(a) If, within 5 years after the commitment of an individual under Part II or III of this subtitle, the Administration does not discharge the individual as rehabilitated, the Administration shall file with the court that ordered commitment a certificate of nonrehabilitation.

(b) If, within 5 years after the commitment of an individual under Part IV [or V] of this subtitle, the Administration does not discharge the individual as rehabilitated, the Administration shall return the individual to the court that ordered commitment, for its termination.

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