

(2) -- THERE IS NO AVAILABLE LESS RESTRICTIVE FORM OF INTERVENTION THAT IS CONSISTENT WITH THE WELFARE AND SAFETY OF THE INDIVIDUAL.

(3) -- THE ADMINISTRATION HAS IDENTIFIED A FACILITY FOR ADMISSION OF THE INDIVIDUAL AND HAS CERTIFIED THAT THE FACILITY HAS AVAILABLE SPACE AND ADEQUATE STAFF.

8-519 -- RESERVED.

8-520 -- RESERVED.

PART III -- INDIVIDUAL CONVICTED OF A CRIME

8-521.

AN INDIVIDUAL MAY NOT BE COMMITTED UNDER THIS PART OF THIS SUBTITLE IF THE INDIVIDUAL:

(1) -- IS AWAITING SENTENCING FOR ANY CRIME OTHER THAN THEFT, IF THE CRIME IS PUNISHABLE BY MORE THAN 10 YEARS IMPRISONMENT OR BY DEATH;

(2) -- IS CHARGED WITH ANOTHER CRIME, OR

(3) -- IS SERVING A SENTENCE IN A CORRECTIONAL INSTITUTION.

8-522.

(A) -- IF IT APPEARS TO A COURT THAT A DEFENDANT WHO HAS BEEN CONVICTED, BUT NOT YET SENTENCED FOR A CRIME, HAS A DRUG ADDICTION OR IF THE DEFENDANT NOTIFIES THE COURT OF A DESIRE TO BE COMMITTED TO THE ADMINISTRATION, THE COURT MAY ORDER THAT A PETITION FOR COMMITMENT BE MADE, AS PROVIDED IN THIS PART OF THIS SUBTITLE.

(B) -- (1) -- AS ORDERED BY THE COURT, A PETITION UNDER THIS SECTION SHALL BE FILED:

(i) -- IF THE DEFENDANT DESIRES COMMITMENT, BY THE LOCAL STATE'S ATTORNEY OR THE DEFENSE COUNSEL, OR

(ii) -- BY THE LOCAL STATE'S ATTORNEY.

(2) -- THE COURT MAY KEEP JURISDICTION FOR PURPOSES OF THE COMMITMENT PROCEEDING OR ORDER THE FILING OF THE PETITION WITH ANY OTHER COURT OF COMPETENT JURISDICTION.

(C) -- IF THE COURT ORDERS A COMMITMENT PETITION TO BE FILED, THE COURT SHALL SUSPEND THE IMPOSITION OF SENTENCE AND ADJOURN THE CRIMINAL PROCEEDING.