

[9-651.] 8-642.

If the Administration determines that an individual committed to the Administration is not fit for rehabilitation, the Administration shall return the individual to the court that ordered commitment, for its termination.

[9-652.] 8-643.

(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 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.

[9-653.] 8-644.

(a) If a court terminates the commitment of an individual who was committed under Part IV of this subtitle, the court shall refer the individual to the criminal court with jurisdiction over the individual, for resumption of the pending criminal proceeding.

(b) For the time that the individual spent in institutional custody between the date on which the commitment proceeding began and the commitment ended, the individual shall receive full credit towards any sentence.

8-645, 8-646. Reserved.

PART VI. COMMITMENT OF INDIVIDUALS CHARGED WITH CRIME.

[9-701.] 8-647.

(a) (1) If a district or circuit court judge is satisfied that a defendant in a criminal case has a drug addiction DEPENDENCE to a narcotic drug, as defined in Article 27, § 277(g) of the Code, the judge may commit the defendant to the Department for evaluation and treatment, under the conditions that the judge sets.

(2) Before a judge orders commitment under this section, the judge shall consult with the Department.

(3) The Department shall accept custody of the individual.