

(B) (1) IF NECESSARY, AFTER MEDICAL TREATMENT, THE POLICE SHALL TRANSPORT THE INDIVIDUAL TO A DETOXIFICATION FACILITY.

(2) THE INDIVIDUAL MAY BE ADMITTED TO THE DETOXIFICATION FACILITY IN ACCORDANCE WITH THE PROVISIONS OF § 8-501(D) OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8-504 through 8-507; Subtitle 6 in its entirety; and the subtitle "Subtitle 7. Voluntary Admissions for Drug Abusers" of Article - Health - General of the Annotated Code of Maryland be repealed.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Health - General

[8-503.] 8-504.

In carrying out §§ 8-501 [and], 8-502, AND 8-503 of this subtitle, the police OR OTHER AUTHORIZED PERSONNEL shall make every reasonable effort to protect the health and safety of the intoxicated individual.

8-505.

(A) (1) BEFORE OR DURING A CRIMINAL TRIAL OR PRIOR TO SENTENCING, THE COURT MAY ORDER THE DEPARTMENT TO EVALUATE A DEFENDANT TO DETERMINE WHETHER, BY REASON OF DRUG OR ALCOHOL ABUSE, THE DEFENDANT IS IN NEED OF AND MAY BENEFIT FROM TREATMENT IF:

(I) IT APPEARS TO THE COURT THAT THE DEFENDANT HAS AN ALCOHOL OR DRUG ABUSE PROBLEM; OR

(II) THE DEFENDANT ALLEGES AN ALCOHOL OR DRUG DEPENDENCY.

(2) THE COURT SHALL SET AND MAY CHANGE THE CONDITIONS UNDER WHICH THE EXAMINATION IS TO BE CONDUCTED.

(B) EXCEPT IN A CAPITAL CASE, ON CONSIDERATION OF THE NATURE OF THE CHARGE, THE COURT:

(1) MAY REQUIRE OR PERMIT AN EXAMINATION TO BE CONDUCTED ON AN OUTPATIENT BASIS; AND

(2) IF AN OUTPATIENT EXAMINATION IS AUTHORIZED, SHALL SET BAIL FOR THE DEFENDANT OR AUTHORIZE THE RELEASE OF THE DEFENDANT ON PERSONAL RECOGNIZANCE.