

~~(H) "RELEASE" INCLUDES RELEASE ON PAROLE, MANDATORY SUPERVISION, WORK RELEASE, AND ANY TYPE OF TEMPORARY LEAVE OTHER THAN LEAVE THAT IS GRANTED ON AN EMERGENCY BASIS.~~

~~(HI) "RELEASE" DOES NOT INCLUDE AN ESCAPE.~~

~~(6) (5) "SEXUALLY VIOLENT OFFENSE" MEANS:~~

~~(I) A VIOLATION OF ANY OF THE PROVISIONS OF § 462, § 463, § 464, § 464A, § 464B, OR § 464F OF THIS ARTICLE;~~

~~(II) ASSAULT WITH INTENT TO COMMIT RAPE IN THE FIRST OR SECOND DEGREE OR A SEXUAL OFFENSE IN THE FIRST OR SECOND DEGREE AS PREVIOUSLY PROSCRIBED UNDER FORMER § 12 OF THIS ARTICLE; OR~~

~~(III) AN OFFENSE IN ANOTHER STATE THAT, IF COMMITTED IN THIS STATE, WOULD CONSTITUTE A VIOLATION DESCRIBED IN ITEMS (I) OR (II) OF THIS PARAGRAPH.~~

~~(7) (6) "SEXUALLY VIOLENT PREDATOR" MEANS A PERSON WHO:~~

~~(I) 1. HAS BEEN CONVICTED OF A SEXUALLY VIOLENT OFFENSE;~~

~~2. HAS BEEN CONVICTED OF AN ATTEMPT TO COMMIT A SEXUALLY VIOLENT OFFENSE;~~

~~3. HAS BEEN GRANTED PROBATION BEFORE JUDGMENT AFTER BEING FOUND GUILTY OF A SEXUALLY VIOLENT OFFENSE AND HAS BEEN ORDERED BY THE COURT, AS A CONDITION OF PROBATION, TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION;~~

~~4. HAS BEEN FOUND NOT CRIMINALLY RESPONSIBLE FOR A SEXUALLY VIOLENT OFFENSE; OR~~

~~5. HAS BEEN CONVICTED IN ANOTHER STATE OF AN OFFENSE THAT, IF COMMITTED IN THIS STATE, WOULD CONSTITUTE A SEXUALLY VIOLENT OFFENSE, AND~~

~~(II) SUFFERS FROM A MENTAL ABNORMALITY OR PERSONALITY DISORDER THAT MAKES THE PERSON LIKELY TO COMMIT A SEXUALLY VIOLENT OFFENSE HAS BEEN DETERMINED IN ACCORDANCE WITH THE MARYLAND RULES TO BE AT RISK OF COMMITTING A SUBSEQUENT SEXUALLY VIOLENT OFFENSE FOR THE PRIMARY PURPOSE OF VICTIMIZATION.~~

~~(8) (7) "SUPERVISING AUTHORITY" MEANS:~~

~~(I) IF THE SEXUALLY VIOLENT PREDATOR IS IN THE CUSTODY OF A FACILITY OPERATED BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;~~