

~~(II) IF THE SEXUALLY VIOLENT PREDATOR IS IN THE CUSTODY OF A LOCAL OR REGIONAL DETENTION CENTER, INCLUDING AN OFFENDER WHO IS PARTICIPATING IN A HOME DETENTION PROGRAM, THE ADMINISTRATOR OF THE FACILITY;~~

~~(III) EXCEPT AS PROVIDED IN SUBPARAGRAPH (VII) OF THIS PARAGRAPH, IF THE SEXUALLY VIOLENT PREDATOR IS GRANTED PROBATION BEFORE JUDGMENT, PROBATION AFTER JUDGMENT, OR A SUSPENDED SENTENCE, THE COURT THAT GRANTED THE PROBATION OR SUSPENDED SENTENCE;~~

~~(IV) IF THE SEXUALLY VIOLENT PREDATOR IS IN THE CUSTODY OF THE PATUXENT INSTITUTION, THE DIRECTOR OF THE PATUXENT INSTITUTION;~~

~~(V) IF THE SEXUALLY VIOLENT PREDATOR IS IN THE CUSTODY OF A FACILITY OPERATED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE SECRETARY OF HEALTH AND MENTAL HYGIENE; OR~~

~~(VI) IF THE SEXUALLY VIOLENT PREDATOR'S SENTENCE DOES NOT INCLUDE A TERM OF IMPRISONMENT, THE COURT IN WHICH THE OFFENDER WAS CONVICTED; OR~~

~~(VII) IF THE SEXUAL OFFENDER IS UNDER THE SUPERVISION OF THE DIVISION OF PAROLE AND PROBATION, THE DIRECTOR OF PAROLE AND PROBATION.~~

~~(B) (1) SUBJECT TO PARAGRAPH (2) (3) OF THIS SUBSECTION, IF A PERSON IS CONVICTED OF A SEXUALLY VIOLENT OFFENSE, THE STATE'S ATTORNEY MAY REQUEST THE COURT TO DETERMINE PRIOR TO SENTENCING THE SENTENCING COURT SHALL DETERMINE WHETHER THE PERSON IS A SEXUALLY VIOLENT PREDATOR BEFORE THE OFFENDER IS RELEASED.~~

~~(2) THE SUPERVISING AUTHORITY SHALL NOTIFY THE SENTENCING COURT OF THE RELEASE OF A SEXUALLY VIOLENT OFFENDER IN SUFFICIENT TIME FOR THE COURT TO MAKE A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION. WHENEVER POSSIBLE, THE SUPERVISING AUTHORITY SHALL NOTIFY THE SENTENCING COURT AT LEAST 6 MONTHS BEFORE THE RELEASE OF A SEXUALLY VIOLENT OFFENDER.~~

~~(3) IN MAKING A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER:~~

~~(I) AN EVALUATION OF THE PERSON BY TWO EXPERTS IN THE TREATMENT OF SEXUAL OFFENDERS, AS DESIGNATED BY THE COURT ANY EVIDENCE THAT THE COURT CONSIDERS APPROPRIATE TO THE DETERMINATION OF WHETHER THE INDIVIDUAL IS A SEXUALLY VIOLENT PREDATOR, INCLUDING THE PRESENTENCING INVESTIGATION AND THE OFFENDER'S INMATE RECORD;~~

~~(II) ANY EVIDENCE, INCLUDING EXPERT TESTIMONY, INTRODUCED BY THE PERSON CONVICTED; AND~~

~~(III) AT THE REQUEST OF THE STATE'S ATTORNEY, ANY EVIDENCE PRESENTED BY A VICTIM OF THE SEXUALLY VIOLENT OFFENSE.~~