

(v) If the [child] ~~sexual offender~~ REGISTRANT 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 [child] ~~sexual offender's~~ REGISTRANT'S sentence does not include a term of imprisonment, the court in which the offender was convicted; ~~OR~~

(VII) IF THE OFFENDER REGISTRANT IS IN THE STATE UNDER THE TERMS AND CONDITIONS OF THE INTERSTATE COMPACT AGREEMENTS UNDER ARTICLE 41, §§ 4-801 AND 4-1201 THROUGH 4-1211 OF THE CODE, THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES; ; OR

(VIII) IF THE REGISTRANT IS UNDER THE SUPERVISION OF THE DIVISION OF PAROLE AND PROBATION, THE DIRECTOR OF PAROLE AND PROBATION.

(B) (1) SUBJECT TO PARAGRAPHS (3) AND (4) OF THIS SUBSECTION, IF A PERSON IS CONVICTED OF A SECOND OR SUBSEQUENT SEXUALLY VIOLENT OFFENSE, THE STATE'S ATTORNEY MAY REQUEST THE COURT TO DETERMINE BEFORE SENTENCING WHETHER THE PERSON IS A SEXUALLY VIOLENT PREDATOR.

(2) IF THE STATE'S ATTORNEY MAKES A REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL DETERMINE BEFORE SENTENCING WHETHER THE PERSON IS A SEXUALLY VIOLENT PREDATOR.

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

(I) ANY EVIDENCE THAT THE COURT CONSIDERS APPROPRIATE TO THE DETERMINATION OF WHETHER THE INDIVIDUAL IS A SEXUALLY VIOLENT PREDATOR, INCLUDING THE PRESENTENCING INVESTIGATION AND SEXUALLY VIOLENT OFFENDER'S INMATE RECORD;

(II) ANY EVIDENCE 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.

(4) THE STATE'S ATTORNEY MAY NOT REQUEST A COURT TO DETERMINE IF A PERSON IS A SEXUALLY VIOLENT PREDATOR UNDER THIS SUBSECTION UNLESS THE STATE'S ATTORNEY SERVES WRITTEN NOTICE OF INTENT TO MAKE THE REQUEST ON THE DEFENDANT OR THE DEFENDANT'S COUNSEL AT LEAST 30 DAYS BEFORE TRIAL.

~~(b) (1) Subject to paragraph (2) of this subsection, on the earlier of the date that the [child] sexual offender is released, is granted probation before judgment, is granted probation after judgment, is granted a suspended sentence, or receives a sentence that does not include a term of imprisonment the supervising authority shall send written notice of the release of the [child] sexual offender to the local law enforcement agency in the county where the SEXUAL offender will reside.~~

~~(2) A written notice required under paragraph (1) of this subsection shall include:~~

~~(i) The full name of the [child] sexual offender;~~