

(iv) Is granted a suspended sentence; or  
(v) Receives a sentence that does not include a term of imprisonment.

(10) "Sexually violent offender" means an individual who:

(i) Has been convicted of a sexually violent offense;  
(ii) Has been convicted of an attempt to commit a sexually violent offense; or

(iii) Has been convicted in another state, or in a federal, military, or Native American tribal court, of an offense that, if committed in this State, would constitute a sexually violent offense.

(11) "Sexually violent offense" means:

(i) A violation of any of the provisions of § 462, § 463, § 464, § 464A, § 464B, or § 464F of this article; or

(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.

(12) "Sexually violent predator" means an individual who:

(i) Is convicted of a second or subsequent sexually violent offense;  
and

(ii) Has been determined in accordance with this section to be at risk of committing a subsequent sexually violent offense.

(13) "Supervising authority" means:

(i) If the registrant 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;

(ii) If the registrant is in the custody of a local or regional detention center, including a registrant who is participating in a home detention program, the administrator of the facility;

(iii) Except as provided in item (xi) of this paragraph, if the registrant is granted probation before judgment, probation after judgment, or a suspended sentence, the court that granted the probation or suspended sentence;

(iv) If the registrant is in the custody of the Patuxent Institution, the Director of the Patuxent Institution;

(v) If the registrant is in the custody of a facility operated by the Department of Health and Mental Hygiene, the Secretary of Health and Mental Hygiene;