

(G) SEXUALLY VIOLENT OFFENSE.

"SEXUALLY VIOLENT OFFENSE" MEANS:

(1) A VIOLATION OF ARTICLE 27, § 462, § 463, § 464, § 464A, § 464B, OR § 464F OF THE CODE; OR

(2) ASSAULT WITH INTENT TO COMMIT RAPE IN THE FIRST OR SECOND DEGREE OR A SEXUAL OFFENSE IN THE FIRST OR SECOND DEGREE AS PROHIBITED ON OR BEFORE SEPTEMBER 30, 1996, UNDER FORMER ARTICLE 27, § 12 OF THE CODE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 792(a)(11).

In item (2) of this subsection, the reference to an assault or sexual offense "as prohibited on or before September 30, 1996, under former Article 27, § 12 of the Code" is substituted for the former reference to an assault or offense "as previously proscribed under former § 12 of this article" for clarity. Section 1 of Chapter 632, Acts of the General Assembly of 1996, repealed former Article 27, § 12 and enacted a new statute in its place. The new statute became effective on October 1, 1996.

(H) SEXUALLY VIOLENT PREDATOR.

"SEXUALLY VIOLENT PREDATOR" MEANS A PERSON WHO:

- (1) IS CONVICTED OF A SUBSEQUENT SEXUALLY VIOLENT OFFENSE;
AND
- (2) HAS BEEN DETERMINED IN ACCORDANCE WITH THIS SUBTITLE TO BE AT RISK OF COMMITTING ANOTHER SEXUALLY VIOLENT OFFENSE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 792(a)(12).

In item (1) of this subsection, the former reference to a "second" offense is deleted as unnecessary in light of the reference to a "subsequent" offense.

As for the substitution of the reference to a "person" for the former reference to an "individual", see General Revisor's Note to article.

Defined terms: "Person" § 1-101

"Sexually violent offense" § 11-701

(I) SUPERVISING AUTHORITY.

"SUPERVISING AUTHORITY" MEANS:

(1) THE SECRETARY, IF THE REGISTRANT IS IN THE CUSTODY OF A CORRECTIONAL FACILITY OPERATED BY THE DEPARTMENT;

(2) THE ADMINISTRATOR OF A LOCAL CORRECTIONAL FACILITY, IF THE REGISTRANT, INCLUDING A PARTICIPANT IN A HOME DETENTION PROGRAM, IS IN THE CUSTODY OF THE LOCAL CORRECTIONAL FACILITY;