

~~12-106.~~

~~(a) Whether or not the defendant is confined, if the court considers that resuming the criminal proceeding would be unjust because so much time has passed since the defendant was found incompetent to stand trial, the court may dismiss the charge. However, the court may not dismiss a charge:~~

~~(1) Without providing the State's Attorney and a victim who has filed a notification request form under [Article 27, § 770 of the Code] § 11-104 OF THE CRIMINAL PROCEDURE ARTICLE advance notice and an opportunity to be heard; and~~

~~(2) (i) Until 10 years after the defendant was found incompetent to stand trial in any capital case; or~~

~~(ii) Until 5 years after the defendant was found incompetent to stand trial in any other case where the penalty may be imprisonment in the State penitentiary.~~

~~(b) If charges are dismissed under this section, the court shall notify:~~

~~(1) The victim of the crime charged who has filed a notification request form under [Article 27, § 770 of the Code] § 11-104 OF THE CRIMINAL PROCEDURE ARTICLE; and~~

~~(2) The Central Repository of the Criminal Justice Information System.~~

~~12-122.~~

~~(a) (1) In this section, "victim" means a victim of a crime of violence, as defined in Article 27, § 643B of the Code or a victim who has filed a notification request form under [Article 27, § 770 of the Code] § 11-104 OF THE CRIMINAL PROCEDURE ARTICLE.~~

~~(c) (1) A victim may request notification under this section by:~~

~~(ii) Filing a notification request form under [Article 27, § 770 of the Code] § 11-104 OF THE CRIMINAL PROCEDURE ARTICLE.~~

18-336.

(b) Except as provided in [Article 27, § 855 of the Code] TITLE 11, SUBTITLE 1, PART II OF THE CRIMINAL PROCEDURE ARTICLE, before obtaining a fluid or tissue sample from the body of an individual for the purpose of testing the fluid or tissue for the presence of HIV infection, a health care provider shall:

(1) Obtain written informed consent from the individual on a uniform HIV informed consent form that the Department shall develop consistent with the requirements of the Department as established by regulations adopted by the Department; and

(2) Provide the individual with pretest counseling, including:

(i) Education about HIV infection and methods for preventing transmission;