

~~responsibility of the Department OR A LOCAL DESIGNEE OF THE DEPARTMENT is limited to the notification of the court that [committed the individual] ORDERED THE TREATMENT as soon as it is reasonably possible.~~

~~[(k)] (M) Nothing in this section imposes any obligation on the Administration OR A LOCAL DESIGNEE OF THE DEPARTMENT:~~

~~(1) To treat any defendant who knowingly and willfully declines to consent to further treatment; or~~

~~(2) In reporting to the court under this section, to include an assessment of a defendant's dangerousness to one's self, to another individual, or to the property of another individual by virtue of a drug or alcohol problem.~~

~~[(l)] (N) Any time served by a criminal defendant held for INPATIENT evaluation or [committed] ORDERED for INPATIENT treatment shall be credited against [the] ANY sentence imposed by the court.~~

8-507.

(A) THIS SECTION APPLIES ONLY TO A DEFENDANT FOR WHOM:

(1) NO SENTENCE OF INCARCERATION IS CURRENTLY IN EFFECT; AND

(2) NO DETAINER IS CURRENTLY LODGED.

[(a)] (B) [If] SUBJECT TO THE LIMITATIONS IN THIS SECTION, a court THAT finds in a criminal case that a defendant has an alcohol or drug dependency [, the court] may commit the defendant as a condition of release, after conviction, or at any other time the defendant voluntarily agrees to [treatment] PARTICIPATE IN TREATMENT, to the Department for [inpatient, residential, or outpatient] treatment THAT THE DEPARTMENT RECOMMENDS, EVEN IF:

(1) THE DEFENDANT DID NOT TIMELY FILE A MOTION FOR RECONSIDERATION UNDER MARYLAND RULE 4-345; OR

(2) THE DEFENDANT TIMELY FILED A MOTION FOR RECONSIDERATION UNDER MARYLAND RULE 4-345 WHICH WAS DENIED BY THE COURT.

[(b)] (C) Before a court [may commit] COMMITS a defendant to the Department [for treatment] UNDER THIS SECTION, the court shall:

(1) Offer the defendant the opportunity to receive treatment; [and]

(2) Obtain the written consent of the defendant:

(i) To receive treatment; and

(ii) [For the reporting of] TO HAVE information REPORTED back to the court; [and]

(3) [Consult with the Administration] ORDER AN EVALUATION OF THE DEFENDANT UNDER § 8-505 OR § 8-506 OF THIS SUBTITLE;

(4) CONSIDER THE REPORT ON THE DEFENDANT'S EVALUATION; AND