

- (2) One member in 2006;
- (3) One member in 2007; and
- (4) The remaining members in 2008.

SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene shall provide to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly, a report on the implementation and status of this Act, including any costs or savings to the State as a result of the implementation of this Act, on or before December 31, 2005.

SECTION 5. AND BE IT FURTHER ENACTED, That, unless an appropriation of at least \$3,000,000 is dedicated in the fiscal year 2005 State budget as enacted by the General Assembly to specifically carry out the provisions of this Act, this Act, with no further action required by the General Assembly, shall be null and void and of no force and effect.

SECTION 4. 6. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 5 of this Act, Section 2 of this Act shall take effect July 1, 2004.

SECTION 5. 7. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 5 of this Act and except as provided in Section 4 6 of this Act, this Act shall take effect October 1, 2004.

Approved May 11, 2004.

CHAPTER 238

(House Bill 295)

AN ACT concerning

Crimes - Substance Abuse - Parole - Civil Commitment - Diversion

FOR the purpose of requiring the Parole Commission to consider certain reports relating to drug and alcohol use when considering suitability for parole under certain circumstances; establishing parole eligibility for certain nonviolent offenders who are ordered to undergo drug or alcohol treatment; establishing procedures for certain criminal defendants to receive certain dispositions in certain criminal cases under certain circumstances; authorizing a court, under certain circumstances, to enter a certain order; establishing a certain fee; requiring certain dispositions in criminal cases to be entered in certain State records; making certain offenders eligible for certain treatment; altering procedures relating to evaluation and treatment of criminal defendants for drug and alcohol abuse under certain circumstances; requiring certain evaluations be conducted in a certain manner; authorizing a court to order certain evaluations under certain circumstances; authorizing a court to order certain treatment that the Department of Health and Mental Hygiene or its local designee considers necessary under certain circumstances; requiring that a defendant ordered to