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§11–724.

(a) A person subject to lifetime sexual offender supervision may not knowingly or willfully violate the conditions of the lifetime sexual offender supervision imposed under § 11–723 of this subtitle.

(b) A person who violates any conditions imposed under § 11–723 of this subtitle:

(1) for a first offense, is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $5,000 or both; and

(2) for a second or subsequent offense, is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding $10,000 or both.

(c) Imprisonment for a lifetime sexual offender supervision violation is not subject to diminution credits.

(d) (1) A violation of subsection (a) of this section does not discharge a person from lifetime sexual offender supervision.

(2) On release from a sentence imposed under subsection (b) of this section, a person remains on lifetime sexual offender supervision, subject to the original terms of supervision, until discharged under subsection (f) of this section.

(e) During the period of lifetime sexual offender supervision, the court may:

(1) remand the person to a correctional facility or release the person with or without bail pending the hearing or determination of a charge of violation of a condition of lifetime sexual offender supervision; and

(2) if the court finds that the person committed a violation of a condition of supervision, impose a sentence as prescribed in subsection (b) of this section.

(f) (1) The sentencing court shall hear and adjudicate a petition for discharge from lifetime sexual offender supervision.

(2) A person may file a petition for discharge after serving at least 5 years of extended sexual offender supervision.

(3) If a petition for discharge is denied, a person may not renew the petition for a minimum of 1 year.

(4) A petition for discharge shall include:

(i) a risk assessment of the person conducted by a sexual offender treatment provider within 3 months before the date of the filing of the petition; and

(ii) a recommendation regarding the discharge of the person from the sexual offender management team.

(5) (i) The sentencing court may not deny a petition for discharge without a hearing.

(ii) The court may not discharge a person from lifetime sexual offender supervision unless the court makes a finding on the record that the petitioner is no longer a danger to others.

(6) (i) The judge who originally imposed the lifetime sexual offender supervision shall hear a petition for discharge.

(ii) If the judge has been removed from office, has died or resigned, or is otherwise incapacitated, another judge may act in the matter.

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