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By: **Delegates Anderson, Brown, and Vallario**  
Introduced and read first time: February 7, 2003  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Motions Requesting Commitment for Treatment**

3 FOR the purpose of providing that a motion by a criminal defendant requesting  
4 certain treatment for drug or alcohol dependency made pursuant to a statute  
5 that authorizes the treatment in certain circumstances may be filed by the  
6 defendant and considered by the court during the pendency of the sentence of  
7 the defendant; and generally relating to motions by criminal defendants  
8 requesting treatment for drug or alcohol dependency.

9 BY adding to  
10 Article - Criminal Procedure  
11 Section 6-229  
12 Annotated Code of Maryland  
13 (2001 Volume and 2002 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article - Health - General  
16 Section 8-507(a)  
17 Annotated Code of Maryland  
18 (2000 Replacement Volume and 2002 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Criminal Procedure**

22 6-229.

23 A MOTIONS BY A DEFENDANT IN A CRIMINAL CASE REQUESTING PERMISSION  
24 TO PARTICIPATE IN ALCOHOL OR DRUG TREATMENT UNDER § 8-507 OF THE HEALTH  
25 - GENERAL ARTICLE MAY BE FILED AND CONSIDERED BY THE SENTENCING COURT  
26 DURING THE PENDENCY OF THE DEFENDANT'S SENTENCE.

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**Article - Health - General**

2 8-507.

3 (a) If a court finds in a criminal case that a defendant has an alcohol or drug  
4 dependency, the court may commit the defendant as a condition of release, after  
5 conviction, or at any other time the defendant voluntarily agrees to treatment to the  
6 Department for inpatient, residential, or outpatient treatment.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2003.