

for out-patients; provided, however, that the Department of Parole and Probation shall be designated by the Authority to supervise such programs of any out-patient who was certified to the Authority pursuant to Section 12 and Section 13 of this Article.

(d) Upon the determination that any person conditionally released has violated any conditions of his release, the Authority may certify that such out-patient is not a fit subject for rehabilitation and order the return of such out-patient to the committing court for further action pursuant to this Article, or upon the determination of a violation of conditional release, the Authority may order the return of such out-patient to institutional care. In either of the above circumstances, the Authority, by its officers or agents, or any police or peace officer, is hereby authorized to return to its physical custody any out-patient who has violated the terms of his conditional release. The period of return to institutional care may not exceed one year, after which the Authority may conditionally release the person pursuant to the provisions of this section or return him to the committing court for further action pursuant to this Article. Whenever a person conditionally released is returned to institutional care, the Authority must give written notice to the committing court within five days of such return.

15. Discharge of Addict as Rehabilitated.

(a) If at any time the Authority is of the opinion that a person committed to its care and custody pursuant to this Article has abstained from the use of addicting drugs for at least three consecutive years while an out-patient and has otherwise complied with the conditions of his release, the Authority shall discharge such person as rehabilitated.

(b) Whenever any out-patient is to be discharged as rehabilitated, the Authority shall file a certificate of discharge with the committing court, at least ten days before the effective date of such discharge.

(c) Any person certified to the Authority pursuant to Section 12 or Section 13 of this Article who is discharged by the Authority as rehabilitated shall be returned to the committing court by the effective date of discharge. Upon such person's return, the committing court shall order the termination of the pending criminal proceedings without imposition of sentence if a commitment under Section 12, or the unconditional suspension of the unexpired sentence if a commitment under Section 13.

(d) Whenever any person certified to the Authority pursuant to Section 9 of this Article has not been discharged as rehabilitated by the Authority at the expiration of the maximum seven year period, the Authority shall file a certificate of non-rehabilitation with the committing court.

16. Available Space Required for Commitment.

Notwithstanding any provision of this Article, no commitment to the care and custody of the Authority pursuant to this Article shall be ordered until such time as the Authority has designated a place or places for the reception of committed persons and has certified that space is available and personnel are adequate therein.