

REVISOR'S NOTE: This section is new language derived without substantive change from the third through sixth sentences of former Article 43B, § 12(a-1)(2). It is revised to reflect also the substance of the first through the sixth sentences and the eighth sentence of former Article 43B, § 9(1)(2). Thus, in subsection (a)(1) of this section, the phrase "unless later changed by the court" reflects the introductory clause of the fourth sentence of former Article 43B, § 9(1)(2).

The second sentence of subsection (a)(2) of this section reflects the second clause of the fifth sentence of former Article 43B, § 9(1)(2).

Subsection (a)(3)(i) of this section is new language substituted for the former, limited right "to produce witnesses on his behalf", for conformity to similar provisions elsewhere in this article.

In subsection (a)(3) of this section, the former reference to the right to counsel is deleted as unnecessary in light of § 9-605 of this subtitle.

In subsection (a)(4) of this section, the former reference "if the court considers it advisable" is deleted as unnecessary in light of the word "may".

In subsection (b) of this section, the term "trier of fact" is substituted for the references to the "court", to reflect that there may be a jury trial.

As to subsection (b) of this section and the deletion of the former provision on evidence, see revisor's note to § 9-616 of this subtitle.

Defined terms: "Administration" § 9-101
 "Drug addict" § 9-101
 "Drug addiction" § 9-101

9-634. CERTIFICATION TO CRIMINAL COURT.

IF THE COURT DOES NOT COMMIT THE INDIVIDUAL UNDER PART IV OF THIS SUBTITLE, THE COURT SHALL CERTIFY THAT DETERMINATION AND RETURN THE DEFENDANT TO THE CRIMINAL COURT THAT ORDERED THE PETITION FILED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43B, § 12(f).