

*A person who has been found not guilty of any crime by reason of insanity at the time of the commission of the act, in the discretion of the court, may be committed to the Department of Mental Hygiene for confinement in one of the facilities of the State for examination and evaluation to determine, by the standards applicable to civil admission proceedings under Sections 11 and 12 of this article, whether such person by reason of mental disorder would, if he becomes a free agent, be a danger to himself or to the safety of the person or property of others. Upon the basis of the report by the facility, and any other evidence before it, the court may in its discretion, direct that the person be confined in a facility designated by the Department for treatment. He shall at any time after three (3) months from the date of his confinement of examination and evaluation have the right to apply for his release pursuant to the provisions of Section 15 of this article. Upon a negative report by the facility, the court having jurisdiction shall order the person promptly released unless good cause for a contrary determination as to dangerousness is shown by the State's attorney.*

28. Release on condition of person committed pursuant to Section 24 or 27; recommitment.

*If the Department of Mental Hygiene is of the view that a person committed pursuant to Section 24 or 27 of this article (except during the first ninety (90) days of commitment following a finding of not guilty by reason of insanity) not otherwise subject to release without condition, may be released on condition without danger to himself or to the safety of the person or property of others, it shall make application for the release of such person in a report to the court by which such person was committed and shall present a copy of such application to the State's attorney and the clerk of the court of the county from which the defendant was committed. The clerk of the court shall send a copy of such application to the last counsel for each such person. If the court is satisfied that the committed person may be released on condition without danger to himself or to the safety of the person or property of others, the court shall order his release on such reasonable conditions as the court determines to be necessary. If within five (5) years after the conditional release of a committed person the court shall determine, after hearing evidence, that the conditions of release have not been fulfilled and that his continued release on conditions constitutes by reason of mental disorder a danger to himself or to the safety of the person or property of others, the court shall forthwith order him to be recommitted.*

29. Open.

*Subtitle: Facilities.*

30. Appointment, Powers and Duties of Superintendents.

*(a) The superintendent of each public facility shall be appointed by the Secretary with the advice of the Commissioner and shall have such qualifications as may from time to time be specified by the Secretary. NO COUNTY OR MUNICIPAL HOSPITAL SHALL FOR PURPOSES OF THIS SECTION, BE CONSIDERED A PUBLIC FACILITY.*

*(b) The superintendent of each public facility shall appoint such personnel as may be needed and are provided for in the budget.*