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Provides a nonlapsing "Addiction Treatment Divestiture Fund." HG Art., sec. 8-6D-01.

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(3) Except during the first 72 hours after admission of a defendant to a treatment program, the Department may terminate the treatment if the Department determines that:

(i) Continued treatment is not in the best interest of the defendant;

or

(ii) The defendant is no longer amenable to treatment.

(k) When a defendant is to be released from treatment under this section, the Department shall notify the court that ordered the treatment.

(l) (1) If a defendant leaves treatment without authorization, the responsibility of the Department is limited to the notification of the court that ordered the defendant's treatment as soon as it is reasonably possible.

(2) Notice under this subsection shall constitute probable cause for a court to issue a warrant for the arrest of a defendant.

(m) Nothing in this section imposes any obligation on the Department:

(1) To treat any defendant who knowingly and willfully declines to consent to further treatment; or

(2) In reporting to the court under this section, to include an assessment of a defendant's dangerousness to one's self, to another individual, or to the property of another individual by virtue of a drug or alcohol problem.

(n) Time during which a defendant is held under this section for inpatient evaluation or inpatient or residential treatment shall be credited against any sentence imposed by the court that ordered the evaluation or treatment.

(o) This section may not be construed to limit a court's authority to order drug treatment in lieu of incarceration under Title 5 of the Criminal Law Article.

SUBTITLE 6D. ADDICTION TREATMENT DIVESTITURE FUND.

1 (A) THERE IS AN ADDICTION TREATMENT DIVESTITURE FUND IN THE
2 DEPARTMENT.

3 (B) THE PURPOSE OF THE FUND IS TO SUPPORT ADDICTION TREATMENT
4 SERVICES TO PERSONS WITH SUBSTANCE-RELATED DISORDERS.

5 (C) THE SECRETARY SHALL ADMINISTER THE FUND.

6 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
7 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

8 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
9 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

10 (E) THE FUND CONSISTS OF:

11 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-804 OF THE
12 CRIMINAL LAW ARTICLE;

13 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

14 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE
15 BENEFIT OF THE FUND.

16 (F) THE FUND MAY BE USED ONLY TO SUPPORT THE ACTIONS OF THE
17 SECRETARY TO PROVIDE TREATMENT FOR SUBSTANCE-RELATED DISORDERS.

18 (G) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN
19 THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

20 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
21 WITH THE STATE BUDGET.

22 Article – State Finance and Procurement

23 6-226.

24 (a) (2) (i) Notwithstanding any other provision of law, and unless
25 inconsistent with a federal law, grant agreement, or other federal requirement or with the
26 terms of a gift or settlement agreement, net interest on all State money allocated by the State
27 Treasurer under this section to special funds or accounts, and otherwise entitled to receive
28 interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of
29 the State.