

88 may appoint an additional forensic evaluator to conduct a progress toward competency  
89 evaluation.

90 (b) If the court appoints an additional forensic evaluator upon motion of a party, that  
91 party shall pay the costs of the additional forensic evaluator.

92 (4) (a) Within 15 days after the day on which the court receives the forensic evaluator's  
93 report of the progress toward competency evaluation, the court shall hold a hearing to review  
94 the defendant's competency.

95 (b) At the hearing, the burden of proving that the defendant is competent to stand trial  
96 is on the proponent of competency.

97 (c) Following the hearing, the court shall determine by a preponderance of evidence  
98 whether the defendant [~~is~~]:

99 (i) is competent to stand trial;

100 (ii) is competent, but requires the ongoing administration of antipsychotic medication  
101 in order to maintain the defendant's competency to stand trial;

102 [~~(iii)~~] (iii) is incompetent to proceed, with a substantial probability that the defendant  
103 may become competent in the foreseeable future; or

104 [~~(iii)~~] (iv) is incompetent to proceed, without a substantial probability that the  
105 defendant may become competent in the foreseeable future.

106 (5) (a) If at any time the court determines that the defendant is competent to stand trial,  
107 the court shall:

108 (i) proceed with the trial or other procedures as may be necessary to adjudicate the  
109 charges; [~~and~~]

110 (ii) order that the defendant be returned to the placement and status that the defendant  
111 was in at the time when the petition for the adjudication of competency was filed or raised by  
112 the court, unless the court determines that placement of the defendant in a less restrictive  
113 environment is more appropriate[-];

114 (iii) order the ongoing administration of antipsychotic medication to the defendant for  
115 the purpose of maintaining the defendant's competency to stand trial, if the court finds that the  
116 administration of antipsychotic medication is necessary to maintain the defendant's competency  
117 to stand trial under Subsection (4)(c)(ii); and

118 (iv) require the agency ~~H→~~ , jail, ~~←H~~ or ~~H→~~ [jail] prison ~~←H~~ with custody over the  
118a defendant to report to the court any