

CONSTRUCTION, ACQUISITION, RENOVATION, OR EQUIPPING OF A FACILITY.

(C) THE BOARD MAY ADOPT REGULATIONS FOR RECEIVING AND CONSIDERING APPLICATIONS AND FOR DISBURSING FUNDS TO APPLICANTS.

24-606.

(A) IF, WITHIN 30 YEARS AFTER COMPLETION OF A PROJECT, A COMMUNITY MENTAL HEALTH FACILITY, ADDICTION FACILITY, OR DEVELOPMENTAL DISABILITIES FACILITY WITH RESPECT TO WHICH FUNDS HAVE BEEN PAID UNDER THIS SUBTITLE IS SOLD OR TRANSFERRED TO ANY PERSON, AGENCY, OR ORGANIZATION THAT WOULD NOT QUALIFY AS AN APPLICANT UNDER THIS SUBTITLE, OR THAT IS NOT APPROVED AS A TRANSFEREE BY THE BOARD OF PUBLIC WORKS, OR IF, WITHIN THE SAME PERIOD, A COMMUNITY MENTAL HEALTH FACILITY, ADDICTION FACILITY, OR DEVELOPMENTAL DISABILITIES FACILITY CEASES TO BE A "FACILITY" AS DEFINED IN THIS SUBTITLE, THEN THE STATE MAY RECOVER FROM EITHER THE TRANSFEROR OR TRANSFEREE OR, IN THE CASE OF A COMMUNITY MENTAL HEALTH FACILITY, ADDICTION FACILITY, OR DEVELOPMENTAL DISABILITIES FACILITY THAT HAS CEASED TO BE A "FACILITY" AS DEFINED IN THIS SUBTITLE, FROM THE OWNER, AN AMOUNT BEARING THE SAME RATIO TO THE THEN CURRENT VALUE OF SO MUCH OF THE PROPERTY AS CONSTITUTED AN APPROVED PROJECT AS THE AMOUNT OF THE STATE PARTICIPATION BORE TO THE TOTAL ELIGIBLE COST OF THE APPROVED PROJECT, TOGETHER WITH ALL COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY THE STATE IN THE RECOVERY PROCEEDINGS.

(B) (1) THE DEPARTMENT SHALL CAUSE NOTICE OF THIS RIGHT OF RECOVERY TO BE RECORDED IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE CITY IN WHICH THE PROPERTY IS LOCATED BEFORE THE STATE MAKES ANY FUNDS AVAILABLE FOR THE APPROVED PROJECT.

(2) THE RECORDING OF THE NOTICE SHALL NOT CREATE ANY LIEN AGAINST THE PROPERTY; HOWEVER, IT SHALL CONSTITUTE NOTICE TO ANY POTENTIAL TRANSFEREE, POTENTIAL CREDITOR, OR OTHER INTERESTED PARTY OF THE POSSIBILITY THAT THE STATE MAY OBTAIN A LIEN UNDER THIS SUBTITLE.

(C) (1) IN THE EVENT OF AN ALLEGED SALE OR TRANSFER AS DESCRIBED IN SUBSECTION (B) OF THIS SECTION, OR IN THE EVENT THAT A PROPERTY IS ALLEGED TO HAVE CEASED TO BE A "FACILITY" AS DEFINED IN THIS SUBTITLE, THE SECRETARY OF THE BOARD OF PUBLIC WORKS MAY FILE, IN THE CIRCUIT COURT OF THE COUNTY OR BALTIMORE CITY IN WHICH THE PROPERTY IS LOCATED, A CLAIM