

(B) IF WRITTEN CONSENT OF THE DONOR CANNOT BE OBTAINED BY REASON OF HIS DEATH, DISABILITY, UNAVAILABILITY, OR IMPOSSIBILITY OF IDENTIFICATION, THE GOVERNING BOARD MAY APPLY IN THE NAME OF THE INSTITUTION TO THE CIRCUIT COURT OF A COUNTY OR TO AN EQUITY COURT OF BALTIMORE CITY, DEPENDING UPON THE LOCATION OF THE OFFICE OF THE GOVERNING BOARD, FOR RELEASE OF A RESTRICTION IMPOSED BY THE APPLICABLE GIFT INSTRUMENT ON THE USE OR INVESTMENT OF AN INSTITUTIONAL FUND. THE ATTORNEY GENERAL SHALL BE NOTIFIED OF THE APPLICATION AND GIVEN AN OPPORTUNITY TO BE HEARD. IF THE COURT FINDS THAT THE RESTRICTION IS OBSOLETE, INAPPROPRIATE, OR IMPRACTICABLE, IT MAY BY ORDER RELEASE THE RESTRICTION IN WHOLE OR IN PART. A RELEASE UNDER THIS SUBSECTION MAY NOT CHANGE AN ENDOWMENT FUND TO A FUND THAT IS NOT AN ENDOWMENT FUND.

(C) A RELEASE UNDER THIS SECTION MAY NOT ALLOW A FUND TO BE USED FOR PURPOSES OTHER THAN THE EDUCATIONAL, RELIGIOUS, CHARITABLE, OR OTHER ELEEMOSYNARY PURPOSES OF THE INSTITUTION AFFECTED.

(D) THIS SECTION DOES NOT LIMIT THE APPLICATION OF THE DOCTRINE OF CY PRES.

13. SEVERABILITY.

IF ANY PROVISION OF THIS SUBTITLE OR THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCES IS HELD INVALID, THE INVALIDITY SHALL NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THE SUBTITLE WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS SUBTITLE ARE DECLARED SEVERABLE.

14. UNIFORMITY OF APPLICATION AND CONSTRUCTION.

THIS SUBTITLE SHALL BE SO APPLIED AND CONSTRUED AS TO EFFECTUATE ITS GENERAL PURPOSE TO MAKE UNIFORM THE LAW WITH RESPECT TO THE SUBJECT OF THIS SUBTITLE AMONG THOSE STATES WHICH ENACT IT.

15. SHORT TITLE.

THIS SUBTITLE MAY BE CITED AS THE "UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS ACT."

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 24, 1973.