

(4) "PRINCIPAL RESIDENCE" MEANS A DWELLING ACTUALLY OCCUPIED OR EXPECTED TO BE ACTUALLY OCCUPIED BY THE HOMEOWNER OR THE HOMEOWNERS FOR MORE THAN SIX CONSECUTIVE MONTHS OF THE PRESENT CALENDAR YEAR. NONOCCUPANCY OF THE DWELLING BECAUSE OF ILLNESS OR THE NEED FOR SPECIAL CARE, OF THE HOMEOWNER, IS OCCUPANCY FOR THE PURPOSES OF THIS SECTION.

(B) (1) WHEN THE COMMISSION OR OTHER STATE AGENCY COMMENCES THE ACQUISITION BY PURCHASE, GIFT, OR CONDEMNATION OF THE DWELLING OF A HOMEOWNER WITHIN THE "TAKE LINE" ESTABLISHED BY THE COMMISSION, THE COMMISSION OR OTHER STATE AGENCY SHALL OFFER IN WRITING THE HOMEOWNER OR HOMEOWNERS A LIFE ESTATE IN THAT PROPERTY. ACCEPTANCE OF THE LIFE ESTATE SHALL BE TAKEN INTO CONSIDERATION WHEN DETERMINING THE VALUE OF THE PROPERTY. UPON ACCEPTANCE, THE RECIPIENT OF THE LIFE ESTATE WILL PAY REAL ESTATE PROPERTY TAXES, INSURANCE, AND ORDINARY MAINTENANCE COSTS. REQUESTS FOR MATERIAL ALTERATIONS OR ADDITIONS TO THE PROPERTY MUST BE SUBMITTED IN WRITING TO THE ST. MARY'S CITY COMMISSION AND SAID REQUEST MUST BE APPROVED OR DISAPPROVED BY THE COMMISSION WITHIN 45 DAYS OF THE RECEIPT OF SAID REQUEST.

(2) IN THE CASE OF A PURCHASE, THE COMMISSION OR OTHER STATE AGENCY SHALL MAKE THE OFFER:

(I) AT THE TIME OF EACH OFFER FOR PURCHASE; AND

(II) IN A DOCUMENT SEPARATE AND APART FROM ALL OTHER DOCUMENTS AT THE TIME OF RATIFICATION OF THE SALES CONTRACT.

(3) IN THE CASE OF A GIFT OR CONDEMNATION, THE COMMISSION OR OTHER STATE AGENCY SHALL MAKE THE OFFER AT THE TIME OF TRANSFER OF ANY RIGHT, TITLE OR INTEREST, PRESENT OR FUTURE, IN THE PROPERTY.

(C) THE COMMISSION OR OTHER STATE AGENCY MAY OFFER AT ANY TIME A LIFE ESTATE TO ANY OTHER HOMEOWNER OR PROPERTY OWNER WITHIN THE "TAKE LINE".

(D) THE HOMEOWNER OR PROPERTY OWNER MAY ACCEPT THE OFFER BEFORE THE 30TH CALENDAR DAY FOLLOWING THE TIME SET FORTH IN PARAGRAPHS (B) AND (C).

(E) UNTIL SUCH TIME AS THE COMMISSION CAN—SHOW CERTIFIES LEGITIMATE NEED FOR THE RESIDUE, THE HOLDER OF THE LIFE ESTATE MAY CONTINUE TO USE IT AS IT EXISTED PRIOR TO THE TRANSFER OF TITLE AND THE CREATION OF THE LIFE ESTATE , ON A LEASE ARRANGEMENT.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.