

hearings on these ~~initial permits~~ licenses; specifying the method of judicial review of the department's action; and providing that private group homes shall be deemed residential uses of property for zoning purposes.

BY adding to

Article 59 - Mental Hygiene  
 Section 58 through ~~66~~ 69, inclusive, to be under the new subtitle "Private Group Homes"  
 Annotated Code of Maryland  
 (1972 Replacement Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 59 - Mental Hygiene

PRIVATE GROUP HOMES

58.

(A) THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:

(B) "PRIVATE GROUP HOME" MEANS A RESIDENCE WHICH ADMITS AT LEAST FOUR BUT NO MORE THAN ~~12~~ 8 PERSONS WHO HAVE BEEN OR PRESENTLY ARE UNDER TREATMENT FOR MENTAL ILLNESS, FOR THE PURPOSE OF PROVIDING CARE OR TREATMENT FOR THOSE PERSONS IN A HOMELIKE ENVIRONMENT. A PRIVATE GROUP HOME DOES NOT INCLUDE:

(1) ANY FACILITY OWNED BY OR LEASED TO THE STATE OR ANY PUBLIC AGENCY;

(2) A FACILITY WHICH IS ORGANIZED, IN WHOLE OR IN PART, FOR THE PURPOSE OF MAKING A PROFIT;

(3) ANY FACILITY LICENSED OR REGULATED BY THE DEPARTMENT OF JUVENILE SERVICES OR THE MENTAL RETARDATION ADMINISTRATION; OR

(4) A FOSTER HOME WHICH IS THE PRINCIPAL DOMICILE OF THE FOSTER PARENT.

(C) "LARGE PRIVATE GROUP HOME" MEANS A RESIDENCE WHICH MEETS THE DEFINITION OF A PRIVATE GROUP HOME IN EVERY OTHER RESPECT, BUT WHICH SERVES FROM ~~13 TO 24~~ 8 TO 16 RESIDENTS.

(D) "SECRETARY" MEANS THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

59.