

THAN ANOTHER 6 MONTHS.

(D) STATE ACTION ON DEFAULT.

WITHIN 6 MONTHS AFTER A DEFAULT BY A COUNTY OR COUNTIES, THE SECRETARY SHALL:

(1) CHOOSE A SUITABLE SITE; AND

(2) AFTER HOLDING A PUBLIC HEARING IN THE COUNTY WHERE THE SITE IS LOCATED, RECOMMEND THE SITE TO THE BOARD OF PUBLIC WORKS.

REVISOR'S NOTE: Subsections (a), (b), (c), and (d)(2) of this section are new language derived without substantive change from former Article 43, § 939(a), (c), and the first sentence of (d).

Subsection (d)(1) of this section is new language added to state expressly that the site recommended to the Board of Public Works must be suitable. This addition is based on former Article 43, § 939(b)(2), which enabled this State only to acquire an "appropriate" site.

In subsection (a)(1) of this section, the reference to "a site that meets the requirements of the rules and regulations adopted under Part II of this subtitle" is substituted for "a suitable site", for clarity. This substitution is based on the second sentence of former Article 43, § 939(a), which required the Secretary to help a county choose a site "which will be consistent with the rules and regulations adopted". Throughout the rest of this section, the phrase "suitable site" is used for brevity.

Also in subsection (a)(1) of this section, the former word "determines" is deleted as unnecessary, since the process for certifying a need includes a determination of need.

Defined terms: "County" § 1-101
"Group home" § 19-604 "Secretary" § 1-101

19-608. STATE ACQUISITION AND CONSTRUCTION; OPERATION.

(A) IN GENERAL.

(1) IF THE BOARD OF PUBLIC WORKS APPROVES THE SITE THAT HAS BEEN CHOSEN BY A COUNTY OR COUNTIES OR, ON DEFAULT, BY THE SECRETARY, THIS STATE MAY:

(I) ACQUIRE THE SITE BY LEASE, PURCHASE, CONDEMNATION, OR OTHERWISE; AND