

TO THAT CLAIM TO THE EXTENT OF ANY PAYMENTS MADE BY THE DEPARTMENT ON BEHALF OF THE PROGRAM RECIPIENT THAT RESULTS FROM THE OCCURRENCE THAT GAVE RISE TO THE CLAIM LESS:

- (1) APPLICABLE ATTORNEY'S FEES; AND
- (2) ANY RIGHTS FOR LOSS OF INCOME.

(B) (1) ANY PROGRAM RECIPIENT OR ATTORNEY, GUARDIAN, OR PERSONAL REPRESENTATIVE OF A PROGRAM RECIPIENT WHO RECEIVES MONEY FOR A CLAIM TO WHICH THE DEPARTMENT HAS A SUBROGATION CLAIM SHALL HOLD THAT MONEY, FOR THE BENEFIT OF THE DEPARTMENT, TO THE EXTENT REQUIRED FOR THE SUBROGATION CLAIM, AFTER DEDUCTING APPLICABLE ATTORNEY'S FEES.

(2) A PERSON WHO, AFTER WRITTEN NOTICE OF A SUBROGATION CLAIM FROM THE DEPARTMENT AND POSSIBLE LIABILITY UNDER THIS PARAGRAPH, DISPOSES OF THE MONEY, WITHOUT THE WRITTEN APPROVAL OF THE DEPARTMENT, IS LIABLE TO THE DEPARTMENT FOR ANY AMOUNT THAT, BECAUSE OF THE DISPOSITION, IS NOT RECOVERABLE BY THE DEPARTMENT.

(3) THE DEPARTMENT MAY COMPROMISE OR SETTLE AND RELEASE ITS SUBROGATION CLAIM IF, IN ITS JUDGMENT, COLLECTION OF THE CLAIM WILL CAUSE SUBSTANTIAL HARDSHIP TO THE PROGRAM RECIPIENT OR IN A WRONGFUL DEATH ACTION, THE SURVIVING DEPENDENT OF A DECEASED PROGRAM RECIPIENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved May 20, 1982.

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CHAPTER 340.

(House Bill 340)

AN ACT concerning

Smoke Detectors - Installation and Maintenance

FOR the purpose of providing that a landlord shall be responsible for the installation and the repair or replacement under certain conditions of a smoke detector in the tenant's unit; providing that a tenant may not remove or render a smoke detector inoperative; permitting a refundable deposit to be charged for a smoke detector in certain circumstances; requiring that only manufacturers who commercially sell or offer for sale smoke detection systems in the State obtain approval from the State Fire Marshal and creating a fee