

7-2A-07.

(A) (1) IF THE SECRETARY CERTIFIES THAT A GROUP HOME FOR NONRETARDED DEVELOPMENTALLY DISABLED INDIVIDUALS IS NEEDED IN A COUNTY OR MULTICOUNTY REGION, THE COUNTY OR THE COUNTIES IN THE REGION, IN CONSULTATION WITH LOCAL CONSUMER GROUPS, PROMPTLY SHALL CHOOSE A SITE THAT MEETS THE REQUIREMENTS OF THE RULES AND REGULATIONS ADOPTED UNDER PART II OF THIS SUBTITLE.

(2) BEFORE SUBMITTING A PROPOSED SITE TO THE SECRETARY, THE GOVERNING BODY FOR THE COUNTY WHERE THE SITE IS LOCATED SHALL HOLD AT LEAST ONE PUBLIC HEARING IN THAT COUNTY TO ASSURE THAT THE COMMUNITY WOULD ACCEPT THE GROUP HOME.

(B) THE SECRETARY SHALL COOPERATE WITH AND HELP THE COUNTY OR COUNTIES TO CHOOSE A SUITABLE SITE.

(C) IF, WITHIN 9 MONTHS AFTER THE SECRETARY CERTIFIES A NEED FOR A GROUP HOME FOR NONRETARDED DEVELOPMENTALLY DISABLED INDIVIDUALS, A SUITABLE SITE IS NOT SUBMITTED TO THE SECRETARY, THE SECRETARY SHALL DECLARE THE COUNTY OR COUNTIES TO BE IN DEFAULT. HOWEVER, FOR GOOD CAUSE SHOWN, THE SECRETARY MAY EXTEND THE 9-MONTH PERIOD FOR NOT MORE THAN ANOTHER 6 MONTHS.

(D) 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.

7-2A-08.

(A) (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

(II) RENOVATE A BUILDING OR BUILD A GROUP HOME FOR NONRETARDED DEVELOPMENTALLY DISABLED INDIVIDUALS THAT MEETS THE REQUIREMENTS OF THE RULES AND REGULATIONS ADOPTED UNDER PART II OF THIS SUBTITLE.

(2) BEFORE ACQUIRING THE SITE, THE SECRETARY SHALL GIVE THE GOVERNING BODY FOR THE COUNTY WHERE THE SITE IS LOCATED AND THE COMMUNITY AROUND THE SITE NOTICE OF THE INTENTION OF THIS STATE TO ACQUIRE AND IMPROVE THE SITE.