

(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 Director, this State:

(i) May acquire the site by lease, purchase, condemnation, or otherwise; and

(ii) May renovate a building or build a public group home FOR MENTALLY RETARDED INDIVIDUALS that meets the requirements of the rules and regulations adopted under this subtitle.

(b) Each public group home FOR MENTALLY RETARDED INDIVIDUALS that is acquired under this section shall be operated by a nonpublic, nonprofit person, on terms and conditions that the Secretary approves.

Part II. [Special Provisions for] Private Group Homes FOR MENTALLY RETARDED INDIVIDUALS.

7-414.

(a) In addition to rules and regulations that generally relate to private facilities, the Director shall adopt rules and regulations for issuing certificates of approval for private group homes FOR MENTALLY RETARDED INDIVIDUALS.

(b) (1) These rules and regulations shall provide that the following factors be considered in determining whether a proposed site is suitable:

[(1)](I) The nature and character of the area;

[(2)](II) The availability of utilities; and

[(3)](III) The access to transportation, shopping, recreation, and public establishments.

(2) THESE RULES AND REGULATIONS SHALL REQUIRE SUPERVISION OF A RESPONSIBLE ADULT.

7-415.

In addition to holding any other license required by law, a person shall obtain a certificate of approval from the Director before the person may establish a private group home FOR MENTALLY RETARDED INDIVIDUALS.

7-416.

(a) To qualify for a certificate of approval, an applicant shall satisfy the Director that: