

first has certified a need for the home. See also § 7-319(a)(1) of this subtitle.

In subsection (a) of this section, the former reference "in compliance with the Administrative Procedure Act" is deleted as unnecessary, since that Act would apply in any event.

Also in subsection (a) of this section, the former reference to "certification" is deleted as unnecessary in light of the broad reference to licensing a public group home.

In subsection (b)(1) of this section, the reference to the "community" is substituted for the ambiguous phrase "their county of origin". This substitution is based on the Administration's interpretation of that former phrase.

In subsection (c)(1) of this section, the former reference to a "zone classified only for single-family dwellings" is deleted as unnecessary in light of subsection (c)(2)(ii) of this section.

In the introductory clause to subsection (c)(2) of this section, the former reference to "the Mental Retardation Law" is deleted as unnecessary.

The introductory clause of former Article 59A, § 19B(b)(5), which provided that a public group home is exempt from any local zoning rule or regulation, is deleted as misleading in light of subsection (c)(2)(iii) of this section. Together, these provisions are interpreted to mean the public group home is exempt only to the extent that a local zoning rule attempts to impose special conditions on a public group home that is not generally applicable to a single-family dwelling.

Defined terms: "Group home" § 7-101
 "Secretary" § 1-101 "State facility" § 7-101

7-319. DETERMINATION OF NEED.

(A) STUDY REQUIRED.

THE DIRECTOR SHALL:

(1) IN ACCORDANCE WITH THE RULES AND REGULATIONS DESCRIBED IN § 7-318(B) OF THIS SUBTITLE, DETERMINE THE NEED, IF ANY, FOR ONE OR MORE PUBLIC GROUP HOMES IN EACH COUNTY OR MULTICOUNTY REGION OF THIS STATE; AND