

2. Ceases to be a facility as defined in this Act, then the State may recover from either the transferor or transferee or, in the case of a community mental health center component, addiction facility, mental retardation facility, or developmental disabilities facility which has ceased to be a facility as defined in this Act, from the owner, an amount bearing the same ratio to the then current value (as determined by agreement of the State and such transferor, transferee, or owner, or by action brought in a court of competent jurisdiction) of so much of the property as constituted an approved project as the amount of the State participation bore to the total eligible cost of the approved project. A notice of this right of recovery shall be recorded in the land records of the political subdivision in which the property is located prior to the payment of any State funds under the provisions of this Act. The recording of the notice shall not create any lien against the property. However, when the Secretary of Health and Mental Hygiene determines that a default has occurred, the Secretary shall record in the land records of the political subdivision in which the property is located a notice of the amount which the State is entitled to recover; and that amount shall constitute a lien upon the property from the date of the determination. All funds recovered pursuant to this right of recovery shall be deposited in the Annuity Bond Fund and shall be applied to the debt service requirements of the State. The Secretary of Health and Mental Hygiene may waive the State's right of recovery if the Secretary determines that there is good cause for releasing the transferor, transferee, or owner from this obligation.

(f) The application shall initially be directed to the Secretary. Upon approval of a project and the project plans, the Secretary shall promptly report the application to the Board of Public Works, together with the Secretary's recommendation that the Board of Public Works make funds available as provided in this Act.

(g) The Board of Public Works shall make allocations from funds available under this Act in accordance with the provisions of this Act. The Board shall certify the allocations of State funds to the Treasurer of the State, and the Treasurer shall authorize payment to the applicant when needed for the construction, acquisition, renovation, or equipment of a facility. The Board may, in its discretion, adopt and promulgate rules and regulations for receiving applications from public and other nonprofit entities in this State and for considering applications and disbursing funds to applicants, within the intent of this Act.

(5) There is hereby levied and imposed an annual State tax on all assessable property in the State in rate and