

(B) ASSETS BECOME PROPERTY OF STATE.

(1) IF ANY PROPERTY OF AN INDIVIDUAL ADMITTED UNDER THE MARYLAND MENTAL HYGIENE LAW REMAINS IN THE CUSTODY OF A PUBLIC FACILITY FOR 1 YEAR AFTER THE DEATH OR ESCAPE OF THE INDIVIDUAL, THE ADMINISTRATIVE HEAD OF THE FACILITY SHALL INVESTIGATE TO DETERMINE IF ANY OTHER PERSON LEGALLY IS ENTITLED TO THAT PROPERTY.

(2) IF SUCH A PERSON IS NOT FOUND:

(I) AS MUCH AS POSSIBLE OF THE ACCOUNT OF THE INDIVIDUAL AT THE FACILITY SHALL BE PAID FROM THE PROPERTY; AND

(II) ANY BALANCE BECOMES THE PROPERTY OF THIS STATE AND SHALL BE PAID INTO THE GENERAL FUND OF THIS STATE.

(C) CLAIM OF OTHERS.

(1) AN ACTION MAY NOT BE BROUGHT MORE THAN 3 YEARS AFTER THE DEATH OR ESCAPE OF AN INDIVIDUAL TO RECOVER PROPERTY OF THE INDIVIDUAL LEFT AT OR IN THE CUSTODY OF THE FACILITY.

(2) THIS SUBSECTION DOES NOT WAIVE ANY DEFENSE, INCLUDING THE DEFENSE OF GOVERNMENTAL IMMUNITY, AVAILABLE TO ANY FACILITY OR OTHER STATE AGENCY IN AN ACTION BROUGHT AGAINST IT, EVEN IF THE ACTION IS BROUGHT WITHIN 3 YEARS AFTER THE DEATH OR ESCAPE OF THE INDIVIDUAL.

REVISOR'S NOTE: This section formerly appeared as Article 59, § 47.

In subsection (b)(1) of this section, the term "administrative head" is substituted for the word "superintendent", for consistency with the terminology used in Title 10 of this article.

The only other changes are in style.

As to abandoned property generally, see the General Revisor's Note to this title.

Defined terms: "Admission" § 10-101
"Facility" § 1-101 "Person" § 1-101
"Includes"/"including" § 1-101

SUBTITLE 4. SPECIAL PROVISIONS AS TO MENTAL RETARDATION.

16-401. APPLICABILITY OF SUBTITLE 2.

EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, SUBTITLE