

(F) BEGINNING IN FISCAL YEAR 2008 AND IN EACH FISCAL YEAR THEREAFTER, THE GOVERNOR ~~SHALL~~ MAY INCLUDE AN APPROPRIATION IN THE STATE CAPITAL BUDGET TO BE DISTRIBUTED AND MANAGED IN ACCORDANCE WITH THIS SUBTITLE.

18-705.

(A) THE BOARD OF PUBLIC WORKS SHALL MAKE ALLOCATIONS FROM FUNDS AVAILABLE UNDER THIS SUBTITLE IN ACCORDANCE WITH THIS SUBTITLE.

(B) THE BOARD SHALL CERTIFY THE ALLOCATIONS TO THE PROPER STATE OFFICERS, AND THE TREASURER SHALL MAKE PAYMENTS TO OR ON BEHALF OF THE APPLICANT, WHEN NEEDED, FOR THE APPROVED PROJECT.

(C) THE BOARD OF PUBLIC WORKS MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

18-706.

(A) THE STATE MAY RECOVER FROM EITHER THE TRANSFEROR OR TRANSFEREE OR, IN THE CASE OF A PROPERTY THAT HAS CEASED TO BE A RESIDENTIAL CHILD CARE PROGRAM, FROM THE OWNER, AN AMOUNT BEARING THE SAME RATIO TO THE THEN CURRENT VALUE 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, TOGETHER WITH ALL COSTS AND REASONABLE ATTORNEYS' FEES INCURRED BY THE STATE IN THE RECOVERY PROCEEDINGS, IF, WITHIN 30 YEARS AFTER COMPLETION OF A PROJECT, A PROPERTY FOR WHICH FUNDS HAVE BEEN PAID UNDER THIS SUBTITLE:

(1) IS SOLD OR TRANSFERRED TO ANY PERSON, AGENCY, OR ORGANIZATION THAT WOULD NOT QUALIFY AS AN APPLICANT UNDER THIS SUBTITLE, OR THAT IS NOT APPROVED AS A TRANSFEREE BY THE BOARD OF PUBLIC WORKS; OR

(2) CEASES TO BE A RESIDENTIAL CHILD CARE PROGRAM AS DEFINED IN THIS SUBTITLE.

(B) (1) BEFORE THE STATE MAKES ANY FUNDS AVAILABLE FOR AN APPROVED PROJECT, THE OFFICE SHALL CAUSE A NOTICE OF THIS RIGHT OF RECOVERY TO BE RECORDED IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE CITY WHERE THE PROPERTY IS LOCATED.

(2) THE RECORDING OF THE NOTICE:

(I) DOES NOT CREATE A LIEN AGAINST THE PROPERTY; BUT

(II) SHALL CONSTITUTE NOTICE TO ANY POTENTIAL TRANSFEREE, POTENTIAL TRANSFEROR, POTENTIAL CREDITOR, OR OTHER INTERESTED PARTY OF THE POSSIBILITY THAT THE STATE MAY OBTAIN A LIEN UNDER THIS SUBTITLE.

(C) (1) (I) THE SECRETARY OF THE BOARD OF PUBLIC WORKS MAY FILE A CIVIL COMPLAINT UNDER SUBSECTION (B) OF THIS SECTION, IN THE CIRCUIT COURT