

(d) "Adult Day Care Center" means a nonresidential center that:

(i) Serves the elderly, medically handicapped adults, or victims of Alzheimer's disease and related disorders;

(ii) Meets the definition in § 14-201(b) or the definition in § 14-301(b) of the Health - General Article of the Code; and

(iii) Is licensed by the Department under Chapter 10.26.01 of the Code of Maryland Regulations.

(e) "Wholly owned" includes leased, if the:

(i) Lease is for a minimum term of 15 years following project completion;

(ii) Lessor consents to the recording of a notice of the State's right of recovery in the land records of the county or Baltimore City in which the facility is located; and

(iii) Lease agreement extends the right of purchase to the lessee.

(5) Any county, municipal corporation, or nonprofit organization sponsoring a project involving work specified in Section 1(3)(a)-(e) of this Act in this State may apply to the Department for a State grant to be applied toward the cost of that project. The application shall be directed to the Secretary of Health and Mental Hygiene. On approval of a project and the project plans by the Department, the Secretary shall promptly report the application to the Board of Public Works, together with the Secretary's recommendation that the Board make funds available as provided in this Act.

(6) Before the Department approves any project, the Secretary of Health and Mental Hygiene shall have adopted regulations to carry out this Act ~~or this Act and~~ and previous or and subsequent Acts for the same purposes.

(7) The allocation and use of State funds under this Act are subject to the following terms and conditions:

(a) State funds may be used to acquire an existing building or part of a building for use as an Adult Day Care Center, or to plan, design, and construct an Adult Day Care Center, only if the local government and the Department of Health and Mental Hygiene certify to the Board of Public Works that no surplus school building or other public building appropriate for use as an Adult Day Care Center exists in the area where it is desired to locate a Center.