

(b) "Facility" means an Adult Day Care Center that is wholly owned by and operated under the authority of:

(i) A county or a municipal corporation, or both; or

(ii) A nonprofit organization.

(c) "Nonprofit organization" means:

(i) A bona fide religious organization, no part of the earnings of which inures to the benefit of any individual or is used for any purpose other than the maintenance and operation of the facility, the purchase of equipment to be used in the facility, or the expansion of the facility; or

(ii) An organization:

1. That is chartered as a nonprofit corporation and classified by the Internal Revenue Service as nonprofit; and

2. No part of the earnings of which inures to the benefit of any individual or is used for any purpose other than the maintenance and operation of the facility, the purchase of equipment to be used in the facility, or the expansion of the facility.

(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 30 years following project completion; and

(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.

(5) Any county, municipal corporation, or nonprofit organization sponsoring a project involving work specified in Section 1(3)(a) through (e) of this Act in this State may apply