

substituted for the former reference to State "funds" for consistency throughout this section.

In subsection (b)(2) and the introductory language of (1) of this section, the former references to a "portion of the proceeds" and "none of the proceeds" are deleted as surplusage.

In subsection (b)(2) of this section, the reference to "this section" is substituted for the former overbroad reference to "this title".

The introductory language of former Art. 83C, § 4-104, which provided that "[t]he allocation and use of State funds under this title are subject to the following terms and conditions", is deleted as surplusage.

Defined terms: "Department" § 9-101  
"Juvenile facility" § 9-401

9-405. NOTICE OF STATE'S RIGHT OF RECOVERY.

(A) RECORDATION OF NOTICE.

BEFORE ANY STATE FUNDS ARE PAID FOR AN APPROVED PROJECT, THE DEPARTMENT SHALL CAUSE A NOTICE OF THE STATE'S RIGHT OF RECOVERY TO BE RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED.

(B) EFFECT OF RECORDATION.

THE RECORDING OF THE NOTICE:

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

(2) CONSTITUTES NOTICE TO ANY POTENTIAL TRANSFEREE, POTENTIAL CREDITOR, OR OTHER INTERESTED PERSON THAT THE STATE MAY OBTAIN A LIEN UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83C, § 4-106(b).

In subsection (a) of this section, the reference to "State funds [being] paid" is substituted for the former reference to the "State mak[ing] ... funds available" for clarity and brevity.

Also in subsection (a) of this section, the former reference to "Baltimore City" is deleted as unnecessary in light of the definition of "county", which includes the City of Baltimore.

In subsection (b)(2) of this section, the reference to an interested "person" is substituted for the former reference to an interested "party" for clarity.

The Human Services Article Review Committee notes, for consideration by the General Assembly, that the General Assembly may wish to consider clarifying who is required to file the notice under subsection (a) of this section.