

Defined terms: "County" § 1-101  
"Department" § 9-101

9-406. STATE'S RIGHT OF RECOVERY.

(A) GROUNDS.

THE STATE MAY RECOVER GRANT FUNDS PAID UNDER THIS SUBTITLE IF, WITHIN 30 YEARS AFTER COMPLETION OF A PROJECT, THE PROJECT PROPERTY:

(1) IS SOLD OR TRANSFERRED TO A PERSON THAT:

(I) WOULD NOT QUALIFY AS AN APPLICANT UNDER THIS SUBTITLE; OR

(II) THE BOARD OF PUBLIC WORKS DOES NOT APPROVE AS A TRANSFEREE; OR

(2) CEASES TO BE A JUVENILE FACILITY.

(B) PERSONS LIABLE.

THE STATE MAY RECOVER FROM THE:

(1) TRANSFEROR;

(2) TRANSFEREE; OR

(3) OWNER OF A PROPERTY THAT HAS CEASED TO BE A JUVENILE FACILITY.

(C) AMOUNT.

THE STATE IS ENTITLED TO RECOVER THE SUM OF:

(1) AN AMOUNT THAT EQUALS THE VALUE OF THE PROJECT PROPERTY AT THE TIME OF THE RECOVERY MULTIPLIED BY A FRACTION:

(I) THE NUMERATOR OF WHICH IS THE AMOUNT OF THE STATE FUNDS FOR THE PROJECT; AND

(II) THE DENOMINATOR OF WHICH IS THE TOTAL ELIGIBLE COST OF THE PROJECT; AND

(2) ALL COSTS AND REASONABLE ATTORNEYS' FEES INCURRED IN THE RECOVERY PROCEEDINGS.

(D) WAIVER.

THE BOARD OF PUBLIC WORKS MAY WAIVE THE STATE'S RIGHT OF RECOVERY FOR GOOD CAUSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83C, § 4-106(a) and the second sentence of (e).

In the introductory language of subsection (a) of this section, the reference