

proper to provide for and hold the referendum required by this section. If a majority of the votes cast on the question are "For the referred law" the provisions of this Act shall become effective on the 30th day following the official canvass of votes for the referendum. If a majority of the votes cast on the question are "Against the referred law" the provisions of this Act are of no effect and null and void. The Board of Supervisors of Elections of Frederick County shall send written notice to the Department of Legislative Services regarding the results of the referendum when the results of the referendum are certified.

SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 2 of this Act and for the sole purpose of providing for the referendum required by Section 2 of this Act, this Act shall take effect October 1, 1998.

Approved May 21, 1998.

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## CHAPTER 646

(Senate Bill 722)

AN ACT concerning

### Assisted Living Programs - Small Facilities

FOR the purpose of prohibiting, before a certain date, the Secretary of Health and Mental Hygiene from ~~implementing or enforcing~~ imposing sanctions under the provisions of Chapter 147 of the Acts of 1996, relating to assisted living programs, or any regulations adopted under Chapter 147 of 1996, with respect to assisted living programs that provide services to a certain number of or fewer individuals unless certain circumstances have occurred; authorizing the Department of Health and Mental Hygiene to require certain assisted living programs to notify the Department of problems encountered in implementing certain regulations; requiring the Department to provide certain technical assistance to certain assisted living programs under certain circumstances; requiring the Department to make a certain report to the General Assembly; and relating generally to assisted living programs.

#### Preamble

WHEREAS, When Chapter 147 of the Acts of the General Assembly of 1996 was enacted to require the Department of Health and Mental Hygiene (DHMH) to be the lead agency for regulating assisted living programs, Section 2 of the Act, an uncodified provision, required the Department, with the approval of the Department of Human Resources and the Office on Aging, to adopt regulations for the operation and licensing of assisted living programs according to the level of services provided by the programs; and

WHEREAS, Under the 1996 Act, the deadline for DHMH to adopt the regulations was October 1, 1997, a deadline that was finally met on February 3, 1998; and