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§16–407.

(a) This section does not apply to funds that are derived from benefits payable under laws administered by the Veterans' Administration.

(b) (1) If any property of an individual with an intellectual disability remains in the custody of a public facility for 1 year after the death or release of the individual with an intellectual disability, the Department shall investigate to locate the individual or to determine if any other person legally is entitled to that property.

(2) If such a person is not found:

(i) As much as possible of the account of the individual with an intellectual disability at the facility shall be paid from the property; and

(ii) Any balance becomes the property of this State and shall be paid into the General Fund of this State.

(c) (1) An action may not be brought more than 3 years after the death or release of an individual with an intellectual disability to recover any of this property left at or in the custody of the facility.

(2) This subsection does not waive any defense, including the defense of governmental immunity, available to any facility or other State agency in an action brought against it, even if the action is brought within 3 years after the death or release of the individual with an intellectual disability.

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