

HOUSE BILL 332

J1, B5

(9lr0880)

ENROLLED BILL

— Health and Government Operations/Finance and Budget and Taxation —

Introduced by ~~Delegate McKay~~ Delegates McKay, Pendergrass, Pena-Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Rosenberg, Sample-Hughes, and K. Young

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Department of Health – Community Dental Clinics Grant Program**

3 FOR the purpose of establishing the Community Dental Clinics Grant Program;
4 authorizing the Board of Public Works, on the recommendation of the Secretary of
5 Health, to make grants under the Program to counties, municipal corporations, and
6 nonprofit organizations for the purpose of supporting the provision of dental services
7 by community dental clinics through certain actions; providing for the application
8 process for a State grant under the Program; providing certain terms, conditions,
9 and limitations on the allocations, use, and amount of State grants made under the
10 Program; prohibiting any portion of the proceeds of a grant made under the Program
11 from being used for certain religious purposes; requiring the Governor to include
12 funding in the State operating budget bill or capital budget bill for the Program
13 beginning in a certain fiscal year; requiring the Board to make certain allocations

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 from certain funds in accordance with this Act; requiring the Board to make certain
 2 certifications; requiring the State Treasurer to make certain payments; authorizing
 3 the Board to adopt certain regulations; authorizing the State, under certain
 4 circumstances, to recover a certain portion of the State funds expended; providing
 5 for a certain judicial proceeding and liens to enforce the State's right of recovery and
 6 priority of the proceeding and lien; requiring the Maryland Department of Health to
 7 adopt certain regulations; defining certain terms; and generally relating to the
 8 Community Dental Clinics Grant Program.

9 BY adding to

10 Article – Health – General

11 Section 24–1601 through 24–1607 to be under the new subtitle “Subtitle 16.
 12 Community Dental Clinics Grant Program”

13 Annotated Code of Maryland

14 (2015 Replacement Volume and 2018 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 16 That the Laws of Maryland read as follows:

17 **Article – Health – General**

18 **SUBTITLE 16. COMMUNITY DENTAL CLINICS GRANT PROGRAM.**

19 **24–1601.**

20 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
 21 **INDICATED.**

22 **(B) (1) “COMMUNITY DENTAL CLINIC” MEANS A NONPROFIT**
 23 **ORGANIZATION THAT PROVIDES DENTAL SERVICES AND IS:**

24 **(i) A HEALTH CARE CENTER OR PROGRAM THAT OFFERS**
 25 **DENTAL SERVICES:**

26 **1. FREE OF COST OR ON A SLIDING SCALE FEE**
 27 **SCHEDULE; AND**

28 **2. WITHOUT REGARD TO AN INDIVIDUAL’S ABILITY TO**
 29 **PAY; AND**

30 **(ii) WHOLLY OWNED AND OPERATED UNDER THE AUTHORITY**
 31 **OF A COUNTY, MUNICIPAL CORPORATION, OR NONPROFIT ORGANIZATION.**

1 (2) “COMMUNITY DENTAL CLINIC” DOES NOT INCLUDE A FEDERALLY
2 QUALIFIED HEALTH CENTER OR A FEDERALLY QUALIFIED HEALTH CENTER
3 LOOK-ALIKE.

4 (C) “NONPROFIT ORGANIZATION” MEANS:

5 (1) A BONA FIDE RELIGIOUS ORGANIZATION, NO PART OF THE
6 EARNINGS OF WHICH ~~INSURES~~ INURES TO THE BENEFIT OF ANY INDIVIDUAL OR IS
7 USED FOR ANY PURPOSE OTHER THAN THE MAINTENANCE AND OPERATION OF A
8 FACILITY, THE PURCHASE OF EQUIPMENT TO BE USED IN A FACILITY, OR THE
9 EXPANSION OF A FACILITY; OR

10 (2) AN ORGANIZATION:

11 (I) THAT IS CHARTERED AS A NONPROFIT CORPORATION AND
12 CLASSIFIED BY THE INTERNAL REVENUE SERVICE AS NONPROFIT; AND

13 (II) NO PART OF THE EARNINGS OF WHICH ~~INSURES~~ INURES TO
14 THE BENEFIT OF ANY INDIVIDUAL OR IS USED FOR ANY PURPOSE OTHER THAN THE
15 MAINTENANCE AND OPERATION OF A FACILITY, THE PURCHASE OF EQUIPMENT TO
16 BE USED IN A FACILITY, OR THE EXPANSION OF A FACILITY.

17 (D) “WHOLLY OWNED” INCLUDES LEASED, IF:

18 (1) (I) THE LEASE IS FOR A MINIMUM TERM OF 15 YEARS
19 FOLLOWING PROJECT COMPLETION; OR

20 (II) THE LEASE AGREEMENT EXTENDS THE RIGHT OF
21 PURCHASE TO THE LESSEE; AND

22 (2) THE LESSOR CONSENTS TO THE RECORDING, IN THE LAND
23 RECORDS OF THE COUNTY OR BALTIMORE CITY WHERE THE FACILITY IS LOCATED,
24 OF A NOTICE OF THE STATE’S RIGHT OF RECOVERY AS PROVIDED UNDER ~~§ 24-1306~~
25 § 24-1606 OF THIS SUBTITLE.

26 24-1602.

27 (A) THERE IS A COMMUNITY DENTAL CLINICS GRANT PROGRAM.

28 (B) ON THE RECOMMENDATION OF THE SECRETARY, THE BOARD OF
29 PUBLIC WORKS MAY MAKE GRANTS TO COUNTIES, MUNICIPAL CORPORATIONS, AND
30 NONPROFIT ORGANIZATIONS FOR THE PURPOSE OF SUPPORTING THE PROVISION
31 OF DENTAL SERVICES BY COMMUNITY DENTAL CLINICS THROUGH:

1 **(1) THE CONVERSION OF PUBLIC BUILDINGS OR PARTS OF PUBLIC**
2 **BUILDINGS TO COMMUNITY DENTAL CLINICS;**

3 **(2) THE ACQUISITION OF EXISTING BUILDINGS OR PARTS OF**
4 **BUILDINGS FOR USE AS COMMUNITY DENTAL CLINICS;**

5 **(3) THE RENOVATION OF COMMUNITY DENTAL CLINICS;**

6 **(4) THE PURCHASE OF CAPITAL EQUIPMENT FOR COMMUNITY**
7 **DENTAL CLINICS; OR**

8 **(5) THE PLANNING, DESIGN, AND CONSTRUCTION OF COMMUNITY**
9 **DENTAL CLINICS.**

10 **24-1603.**

11 **(A) ANY COUNTY, MUNICIPAL CORPORATION, OR NONPROFIT**
12 **ORGANIZATION SPONSORING A PROJECT INVOLVING WORK SPECIFIED IN § 24-1602**
13 **OF THIS SUBTITLE MAY APPLY TO THE SECRETARY FOR A STATE GRANT TO BE**
14 **APPLIED TOWARD THE COST OF THAT PROJECT.**

15 **(B) THE APPLICATION FOR A GRANT SHALL INCLUDE:**

16 **(1) PROJECT PLANS FOR THE WORK TO BE CARRIED OUT;**

17 **(2) A STATEMENT LISTING THE PERSONNEL EMPLOYED OR TO BE**
18 **EMPLOYED AT THE COMMUNITY DENTAL CLINIC, INCLUDING ALL REMUNERATION**
19 **AND PERQUISITES FOR PERSONAL SERVICES AND ALL OTHER EXPENSES PAID OR TO**
20 **BE PAID TO THE PERSONNEL;**

21 **(3) ALL OTHER EXPENSES INCURRED OR TO BE INCURRED IN**
22 **OPERATING THE COMMUNITY DENTAL CLINIC; AND**

23 **(4) THE SCHEDULE OF RATES CHARGED OR TO BE CHARGED FOR**
24 **SERVICES RENDERED.**

25 **(C) ON APPROVAL OF A PROJECT AND THE PROJECT PLANS, THE**
26 **SECRETARY PROMPTLY SHALL REPORT THE APPLICATION TO THE BOARD OF**
27 **PUBLIC WORKS, TOGETHER WITH THE SECRETARY'S RECOMMENDATION THAT THE**
28 **BOARD MAKE FUNDS AVAILABLE AS PROVIDED IN THIS SUBTITLE.**

29 **24-1604.**

1 (A) THE ALLOCATION AND USE OF STATE FUNDS UNDER THIS SUBTITLE ARE
2 SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THIS SECTION.

3 (B) STATE FUNDS MAY BE USED ONLY FOR THE PURPOSES LISTED UNDER §
4 24-1602 OF THIS SUBTITLE AND APPROVED BY THE SECRETARY UNDER § 24-1603
5 OF THIS SUBTITLE.

6 (C) THE ALLOCATION AND USE OF STATE FUNDS UNDER THIS SUBTITLE ARE
7 SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

8 (1) ANY FEDERAL OR OTHER GRANT THAT IS RECEIVED FOR AN
9 ELIGIBLE PROJECT SHALL BE APPLIED FIRST TO THE COST OF THE PROJECT;

10 (2) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A
11 STATE GRANT MAY NOT EXCEED ~~50%~~ 75% OF THE COST OF ELIGIBLE WORK
12 REMAINING UNPAID AFTER ALL FEDERAL GRANTS HAVE BEEN APPLIED; AND

13 (3) FOR PURPOSES OF THIS SUBTITLE, COMMUNITY DEVELOPMENT
14 BLOCK GRANT FUNDS SHALL BE CONSIDERED AS LOCAL MATCHING FUNDS AND MAY
15 NOT BE CONSIDERED AS FEDERAL GRANT FUNDS.

16 (D) FOR A PROJECT DESIGNATED AS ELIGIBLE FOR POVERTY AREA
17 FUNDING UNDER FEDERAL REGULATIONS, STATE PLANS, OR DEPARTMENTAL
18 REGULATIONS, A STATE GRANT MAY COVER UP TO ~~75%~~ 90% OF THE COST OF
19 ELIGIBLE WORK REMAINING UNPAID AFTER ALL FEDERAL GRANTS HAVE BEEN
20 APPLIED.

21 (E) THE AMOUNT OF THE STATE GRANT RECOMMENDED TO THE BOARD OF
22 PUBLIC WORKS FOR ANY PROJECT SHALL BE DETERMINED AFTER CONSIDERATION
23 OF:

24 (1) ALL ELIGIBLE PROJECTS;

25 (2) THE TOTAL OF UNALLOCATED STATE FUNDS AVAILABLE AT THE
26 TIME THE GRANT RECOMMENDATION IS MADE TO THE BOARD OF PUBLIC WORKS;
27 AND

28 (3) THE PRIORITIES OF AREA NEED ESTABLISHED BY THE
29 DEPARTMENT.

30 (F) (1) NO PORTION OF THE PROCEEDS OF A STATE GRANT MAY BE USED:

31 (i) TO FURTHER SECTARIAN RELIGIOUS INSTRUCTION;

1 (II) IN CONNECTION WITH THE DESIGN, ACQUISITION, OR
2 CONSTRUCTION OF ANY BUILDING TO BE USED AS A PLACE OF SECTARIAN
3 RELIGIOUS WORSHIP OR INSTRUCTION; OR

4 (III) IN CONNECTION WITH ANY PROGRAM OR DEPARTMENT OF
5 DIVINITY FOR ANY RELIGIOUS DENOMINATION.

6 (2) ON THE REQUEST OF THE BOARD OF PUBLIC WORKS, THE
7 APPLICANT SHALL SUBMIT EVIDENCE SATISFACTORY TO THE BOARD THAT THE
8 PROCEEDS OF THE GRANT ARE NOT BEING USED FOR A PURPOSE PROHIBITED
9 UNDER THIS SUBSECTION OR UNDER APPLICABLE FEDERAL LAW.

10 (G) BEGINNING IN FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER,
11 THE GOVERNOR SHALL INCLUDE AN APPROPRIATION IN THE STATE OPERATING
12 BUDGET BILL OR CAPITAL BUDGET BILL TO BE DISTRIBUTED AND MANAGED IN
13 ACCORDANCE WITH THIS SUBTITLE.

14 24-1605.

15 (A) THE BOARD OF PUBLIC WORKS SHALL MAKE ALLOCATIONS FROM
16 FUNDS AVAILABLE UNDER THIS SUBTITLE IN ACCORDANCE WITH THIS SUBTITLE.

17 (B) THE BOARD OF PUBLIC WORKS SHALL CERTIFY THE ALLOCATIONS TO
18 THE PROPER STATE OFFICERS, AND THE STATE TREASURER SHALL MAKE
19 PAYMENTS TO OR ON BEHALF OF THE APPLICANT, WHEN NEEDED, FOR THE
20 APPROVED PROJECT.

21 (C) THE BOARD OF PUBLIC WORKS MAY ADOPT REGULATIONS TO
22 IMPLEMENT THIS SECTION.

23 24-1606.

24 (A) THE STATE MAY RECOVER FROM EITHER THE TRANSFEROR OR
25 TRANSFEREE OR, IN THE CASE OF A PROPERTY THAT HAS CEASED TO BE A
26 COMMUNITY DENTAL CLINIC, FROM THE OWNER, AN AMOUNT BEARING THE SAME
27 RATIO TO THE THEN CURRENT VALUE OF SO MUCH OF THE PROPERTY AS
28 CONSTITUTED AN APPROVED PROJECT AS THE AMOUNT OF THE STATE
29 PARTICIPATION BORE TO THE TOTAL ELIGIBLE COST OF THE APPROVED PROJECT,
30 TOGETHER WITH ALL COSTS AND REASONABLE ATTORNEY'S FEES INCURRED BY THE
31 STATE IN THE RECOVERY PROCEEDINGS, IF, WITHIN 30 YEARS AFTER COMPLETION
32 OF A PROJECT, A PROPERTY FOR WHICH FUNDS HAVE BEEN PAID UNDER THIS
33 SUBTITLE:

1 (1) IS SOLD OR TRANSFERRED TO ANY PERSON, AGENCY, OR
2 ORGANIZATION THAT WOULD NOT QUALIFY AS AN APPLICANT UNDER THIS
3 SUBTITLE, OR THAT IS NOT APPROVED AS A TRANSFEREE BY THE BOARD OF PUBLIC
4 WORKS; OR

5 (2) CEASES TO BE A COMMUNITY DENTAL CLINIC AS DEFINED IN THIS
6 SUBTITLE.

7 (B) (1) BEFORE THE STATE MAKES ANY FUNDS AVAILABLE FOR AN
8 APPROVED PROJECT, THE DEPARTMENT SHALL CAUSE A NOTICE OF THIS RIGHT OF
9 RECOVERY TO BE RECORDED IN THE LAND RECORDS OF THE COUNTY OR
10 BALTIMORE CITY WHERE THE PROPERTY IS LOCATED.

11 (2) THE RECORDING OF THE NOTICE:

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

13 (II) SHALL CONSTITUTE NOTICE TO ANY POTENTIAL
14 TRANSFEREE, POTENTIAL TRANSFEROR, POTENTIAL CREDITOR, OR OTHER
15 INTERESTED PARTY OF THE POSSIBILITY THAT THE STATE MAY OBTAIN A LIEN
16 UNDER THIS SUBTITLE.

17 (C) (1) (I) THE SECRETARY OF THE BOARD OF PUBLIC WORKS MAY
18 FILE A CIVIL COMPLAINT AUTHORIZED UNDER SUBSECTION ~~(B)~~ (A) OF THIS
19 SECTION, IN THE CIRCUIT COURT FOR THE COUNTY OR BALTIMORE CITY WHERE
20 THE PROPERTY IS LOCATED, AGAINST THE OWNER OF THE PROPERTY AND ANY
21 OTHER INTERESTED PARTIES, INCLUDING ANY TRANSFEROR THAT THE STATE
22 WISHES TO MAKE A PARTY.

23 (II) THE COMPLAINT SHALL BE FILED WITH:

24 1. SWORN AFFIDAVITS STATING FACTS ON WHICH THE
25 ALLEGATIONS OF DEFAULT ARE BASED; AND

26 2. A DETAILED JUSTIFICATION OF THE AMOUNT
27 CLAIMED.

28 (2) IF THE CIRCUIT COURT DETERMINES FROM THE STATE'S INITIAL
29 FILING THAT A DEFAULT HAS OCCURRED, PENDING FULL DETERMINATION OF THE
30 STATE'S CLAIM, THE COURT SHALL AUTHORIZE A TEMPORARY LIEN ON THE
31 PROPERTY:

1 **(I) IN THE AMOUNT OF THE STATE'S COMPLAINT PLUS ANY**
2 **ADDITIONAL AMOUNT ESTIMATED TO BE NECESSARY TO COVER THE COSTS AND**
3 **REASONABLE ATTORNEY'S FEES INCURRED BY THE STATE; OR**

4 **(II) IN OTHER AMOUNTS THAT THE COURT DETERMINES TO BE**
5 **REASONABLE.**

6 **(3) (I) A TEMPORARY LIEN SHALL TAKE EFFECT:**

7 **1. ON THE DATE OF THE COURT'S AUTHORIZATION, IF**
8 **THE SECRETARY OF THE BOARD OF PUBLIC WORKS RECORDS A NOTICE OF**
9 **TEMPORARY LIEN IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE CITY**
10 **WHERE THE PROPERTY IS LOCATED WITHIN 10 DAYS AFTER THE COURT'S**
11 **AUTHORIZATION; OR**

12 **2. ON THE DATE A NOTICE OF TEMPORARY LIEN IS**
13 **RECORDED.**

14 **(II) WHILE THE TEMPORARY LIEN IS IN EFFECT, NEITHER THE**
15 **OWNER NOR ANY PERSON THAT ACQUIRED AN INTEREST IN THE PROPERTY AFTER**
16 **THE STATE FIRST MADE FUNDS AVAILABLE IN CONNECTION WITH THE PROPERTY**
17 **MAY, WITHOUT THE PRIOR WRITTEN CONSENT OF THE STATE:**

18 **1. TAKE ANY ACTION THAT WOULD AFFECT THE TITLE**
19 **TO THE PROPERTY; OR**

20 **2. INSTITUTE ANY PROCEEDINGS TO ENFORCE A**
21 **SECURITY INTEREST OR OTHER SIMILAR RIGHTS IN THE PROPERTY.**

22 **(4) (I) THE OWNER OF THE PROPERTY OR ANY OTHER INTERESTED**
23 **PARTY MAY OBTAIN RELEASE OF A TEMPORARY LIEN AT ANY TIME BY FILING WITH**
24 **THE COURT A BOND SECURING THE PAYMENT IN FULL OF THE STATE'S CLAIM AND**
25 **ANY ADDITIONAL AMOUNT NECESSARY TO COVER THE COSTS AND REASONABLE**
26 **ATTORNEY'S FEES INCURRED BY THE STATE.**

27 **(II) THE OWNER OR OTHER INTERESTED PARTY MAY CAUSE THE**
28 **RELEASE TO BE RECORDED IN THE LAND RECORDS.**

29 **(D) PROCEEDINGS TO DETERMINE THE STATE'S RIGHT TO RECOVER AND**
30 **THE AMOUNT OF THE STATE'S RECOVERY UNDER THIS SUBTITLE SHALL HAVE**
31 **PRIORITY OVER OTHER CIVIL PROCEEDINGS IN THE CIRCUIT COURTS.**

32 **(E) (1) (I) AT THE CONCLUSION OF FULL ADVERSARY PROCEEDINGS**
33 **ON THE ISSUE OF DEFAULT AND OF ANY DISPUTES OVER THE AMOUNT OF THE**

1 STATE'S RECOVERY, THE CIRCUIT COURT SHALL, IF IT FINDS THAT A DEFAULT HAS
2 OCCURRED, ISSUE A FINAL JUDGMENT FOR THE AMOUNT THE CIRCUIT COURT FINDS
3 TO BE RECOVERABLE BY THE STATE.

4 (II) ALL PARTIES INVOLVED IN THE DEFAULT, INCLUDING IN
5 EVERY CASE THE OWNER OF THE PROPERTY, SHALL BE HELD JOINTLY AND
6 SEVERALLY LIABLE TO THE STATE FOR THE AMOUNT OF THE JUDGMENT.

7 (2) (I) EXCEPT AS THE STATE MAY OTHERWISE PROVIDE BY A
8 WRITTEN SUBORDINATION AGREEMENT, IF THE AMOUNT OF THE FINAL JUDGMENT
9 REMAINS UNPAID AFTER 30 DAYS FOLLOWING THE COURT'S FINAL ORDER, THE
10 FINAL JUDGMENT SHALL CONSTITUTE A LIEN ON THE PROPERTY, SUPERIOR TO THE
11 LIEN OR OTHER INTEREST OF A MORTGAGEE, PLEDGEE, PURCHASER, OR JUDGMENT
12 CREDITOR WHOSE INTEREST BECAME PERFECTED AGAINST THIRD PERSONS AFTER
13 THE STATE FIRST MADE FUNDS AVAILABLE UNDER THIS SUBTITLE.

14 (II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF
15 THIS SUBPARAGRAPH, A LIEN TAKES EFFECT ON THE DATE A NOTICE OF LIEN IS
16 RECORDED.

17 2. A LIEN TAKES EFFECT ON THE 31ST DAY FOLLOWING
18 THE COURT'S FINAL ORDER IF THE SECRETARY OF THE BOARD OF PUBLIC WORKS
19 RECORDS A NOTICE OF LIEN IN THE LAND RECORDS OF THE COUNTY OR BALTIMORE
20 CITY WHERE THE PROPERTY IS LOCATED ON OR BEFORE THE 41ST DAY FOLLOWING
21 THE FINAL ORDER.

22 (III) 1. AT THE TIME THAT A LIEN TAKES EFFECT, ANY
23 TEMPORARY LIEN THEN IN EFFECT SHALL BE AUTOMATICALLY AND FULLY
24 RELEASED.

25 2. THE RECORDED NOTICE OF A LIEN SHALL
26 CONSTITUTE NOTICE OF THE RELEASE OF A TEMPORARY LIEN.

27 (IV) A LIEN IMPOSED UNDER THIS SUBSECTION MAY BE
28 ENFORCED AND FORECLOSED IN ACCORDANCE WITH THE PROCEDURES
29 PRESCRIBED IN THE MARYLAND RULES, EXCEPT THAT NEITHER THE STATE NOR
30 ANY AGENT APPOINTED BY THE STATE TO SELL THE PROPERTY NEED FILE A BOND.

31 (3) (I) THE OWNER OR ANY OTHER INTERESTED PARTY MAY
32 OBTAIN RELEASE OF A LIEN AT ANY TIME BY PAYING TO THE STATE THE FULL
33 AMOUNT OF THE JUDGMENT RENDERED BY THE CIRCUIT COURT, TOGETHER WITH
34 INTEREST FROM THE DATE OF JUDGMENT.

1 **(II) ON PAYMENT IN FULL, THE SECRETARY OF THE BOARD OF**
 2 **PUBLIC WORKS SHALL CAUSE A RELEASE TO BE RECORDED IN THE LAND RECORDS.**

3 **(4) IF THE CIRCUIT COURT FINDS THAT THERE HAS BEEN NO**
 4 **DEFAULT OR IF THE FULL AMOUNT OF THE COURT'S JUDGMENT IS PAID TO THE**
 5 **STATE WITHIN 30 DAYS AFTER THE COURT'S FINAL ORDER, A TEMPORARY LIEN**
 6 **THEN IN EFFECT SHALL BE RELEASED IMMEDIATELY AND THE SECRETARY OF THE**
 7 **BOARD OF PUBLIC WORKS SHALL CAUSE THE RELEASE TO BE RECORDED IN THE**
 8 **LAND RECORDS.**

9 **(F) (1) ALL FUNDS RECOVERED AS A RESULT OF THIS RIGHT OF**
 10 **RECOVERY SHALL BE DEPOSITED IN THE ANNUITY BOND FUND AND APPLIED TO**
 11 **THE DEBT SERVICE REQUIREMENTS OF THE STATE.**

12 **(2) IF THE BOARD OF PUBLIC WORKS DETERMINES THAT THERE IS**
 13 **GOOD CAUSE FOR RELEASING THE TRANSFEROR, TRANSFEREE, OR OWNER FROM**
 14 **THE OBLIGATION IMPOSED UNDER THIS SUBTITLE, THE BOARD OF PUBLIC WORKS**
 15 **MAY WAIVE THE STATE'S RIGHT OF RECOVERY UNDER THIS SUBTITLE.**

16 **24-1607.**

17 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE**
 18 **PROVISIONS OF THIS SUBTITLE.**

19 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
 20 **October 1, 2019.**

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.