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**By: Delegate M. Burns**

Introduced and read first time: February 23, 1996

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Administrative Hearings - Service of Notice**

3 FOR the purpose of providing that an agency may serve a hearing notice on a former  
4 licensee, by regular mail notice to the last known business and homeaddresses of  
5 the former licensee, for a certain period of time under certain circumstances;  
6 providing that the former licensee may obtain a hearing upon a showing that the  
7 former licensee neither knew nor had a reasonable opportunity to know of the fact  
8 of service; and generally relating to service of notice of administrative hearings.

9 BY adding to

10 Article - State Government  
11 Section 10-209.1  
12 Annotated Code of Maryland  
13 (1995 Replacement Volume)

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

16 **Article - State Government**

17 10-209.1.

18 (A) WHERE A LICENSING STATUTE PROVIDES FOR SERVICE OTHER THAN BY  
19 REGULAR MAIL, NOTICE UNDER THIS SUBTITLE MAY BE SENT BY REGULAR MAIL TO  
20 THE LAST KNOWN BUSINESS AND HOME ADDRESSES OF A PERSON WHO FORMERLY  
21 HELD A LICENSE ISSUED BY THE AGENCY IF:

22 (1) THE NOTICE HAS BEEN SENT WITHIN 3 YEARS OF THE TERMINATION  
23 OF THE PERSON'S LICENSE; AND

24 (2) THE AGENCY HAS BEEN UNSUCCESSFUL IN GIVING NOTICE IN THE  
25 MANNER OTHERWISE PROVIDED BY THE LICENSING STATUTE.

26 (B) UPON A SHOWING THAT THE PERSON NEITHER KNEW NOR HAD  
27 REASONABLE OPPORTUNITY TO KNOW OF THE FACT OF SERVICE, A PERSON  
28 SERVED BY REGULAR MAIL UNDER SUBSECTION (A) OF THIS SECTION SHALL BE  
29 GRANTED A HEARING.

HOUSE BILL 1404

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1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1996.