Unofficial Copy C2

2001 Regular Session 1lr0042

(PRE-FILED)

By: Chairman, Economic Matters Committee (Departmental - Labor, **Licensing and Regulation**)

Requested: November 14, 2000

[(2)

26 months, after the complaint is made.]

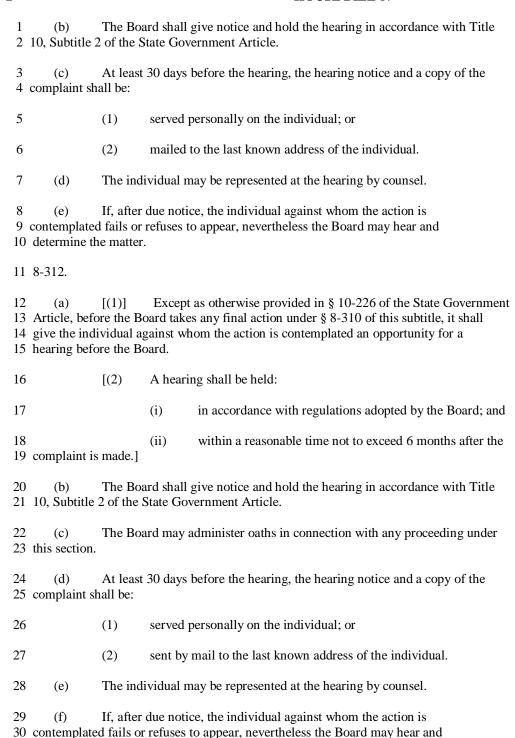
Introduced and read first time: January 10, 2001

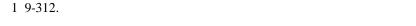
Assigned to: Economic Matters

	A BILL ENTITLED
1	AN ACT concerning
2	Department of Labor, Licensing, and Regulation - State Boards - Hearing Provisions
4 5 6 7 8 9 10	
12 14 15 16	Section 3-313, 8-312, 9-312, 14-319, and 15-320 Annotated Code of Maryland
17 18	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
19	Article - Business Occupations and Professions
20	3-313.
23	(a) [(1)] Except as otherwise provided in § 10-226 of the State Government Article, before the Board takes any final action under § 3-311 of this subtitle, it shall give the individual against whom the action is contemplated an opportunity for a hearing before the Board.

A hearing shall be held within a reasonable time, not exceeding 6

31 determine the matter.





- 2 (a) [(1)] Except as otherwise provided in § 10-226 of the State Government
- 3 Article, before the Board takes any final action under § 9-310 of this subtitle, it shall
- 4 give the individual against whom the action is contemplated an opportunity for a
- 5 hearing before the Board.
- 6 [(2) A hearing shall be set within a reasonable time, not exceeding 6 7 months, after the Board brings charges against a licensee.]
- 8 (b) The Board shall give notice and hold the hearing in accordance with Title 9 10, Subtitle 2 of the State Government Article.
- 10 (c) The Board may administer oaths in connection with any proceeding under 11 this section.
- 12 (d) At least 30 days before the hearing, the hearing notice and a copy of the 13 complaint shall be:
- 14 (1) served personally on the individual; or
- 15 (2) mailed to the last known address of the individual.
- 16 (e) The individual may be represented at the hearing by counsel.
- 17 (f) If, after due notice, the individual against whom the action is
- 18 contemplated fails or refuses to appear, nevertheless the Board may hear and
- 19 determine the matter.
- 20 14-319.
- 21 (a) [(1)] Except as otherwise provided in § 10-226 of the State Government
- 22 Article, before the Board takes any final action under § 14-317 of this subtitle, it shall
- 23 give the individual against whom the action is contemplated an opportunity for a
- 24 hearing before the Board.
- 25 [(2) A hearing shall be set down within a reasonable time, not exceeding 6
- 26 months, after the Board brings charges against a licensee.]
- 27 (b) The Board shall give notice and hold the hearing in accordance with Title
- 28 10, Subtitle 2 of the State Government Article.
- 29 (c) The Board may administer oaths in connection with any proceeding under 30 this section.
- 31 (d) At least 30 days before the hearing, the hearing notice and a copy of the
- 32 complaint shall be:
- 33 (1) served personally on the individual; or
- 34 (2) mailed to the last known address of the individual.

- 1 (e) The individual may be represented at the hearing by counsel.
- 2 (f) If, after due notice, the individual against whom the action is
- 3 contemplated fails or refuses to appear, nevertheless the Board may hear and
- 4 determine the matter.
- 5 15-320.
- Except as otherwise provided in § 10-226 of the State Government 6 (a)
- 7 Article, before the Board takes any final action under § 15-318 of this subtitle, it shall
- 8 give the individual against whom the action is contemplated an opportunity for a
- 9 hearing before the Board.
- 10 [(2)]A hearing shall be set down within a reasonable time, not exceeding 6 11 months, after the Board has brought charges against the licensee.]
- 12 (b) The Board shall give notice and hold the hearing in accordance with Title
- 13 10, Subtitle 2 of the State Government Article.
- 14 The Board may administer oaths in connection with any proceeding under (c)
- 15 this section.
- At least 30 days before the hearing, the hearing notice and a copy of the 16 (d) complaint shall be: 17
- 18 (1) served personally on the individual; or
- mailed to the last known address of the individual. 19 (2)
- 20 (e) The individual may be represented at the hearing by counsel.
- 21 (f) If, after due notice, the individual against whom the action is
- 22 contemplated fails or refuses to appear, nevertheless the Board may hear and
- 23 determine the matter.
- 24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
- 25 effect October 1, 2001.