

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**

House Bill 87 (Chairman, Economic Matters Committee)  
(Departmental – Labor, Licensing, and Regulation)  
Economic Matters Economic and Environmental Affairs

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**Department of Labor, Licensing, and Regulation - State Boards - Hearing Provisions**

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This departmental bill repeals the requirement applicable to professional boards within the Department of Labor, Licensing, and Regulation (DLLR) that an administrative hearing must be held within six months of when a complaint is filed against a member of one of the professions. The professional boards specified in the bill are the State Board of Architects; the State Board of Certified Interior Designers; the State Board of Examiners of Landscape Architects; the State Board of Professional Engineers; and the State Board for Professional Land Surveyors.

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**Fiscal Summary**

**State Effect:** None. The bill only eliminates the deadline by which a hearing must be held.

**Local Effect:** None.

**Small Business Effect:** DLLR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** A consumer of professional services provided by a member of one of these regulated professions may file a complaint with the appropriate board if the consumer believes the professional engaged in unethical or criminal conduct. An

investigation is conducted to determine the validity of the complaint and a hearing is held if the complaint is found to have merit. The amount of time that may elapse between the complaint filing date and the hearing date may be no more than six months.

**Background:** The professional boards are the only boards within DLLR that have a time limit on how soon a hearing must be held after a complaint is filed. DLLR advises that this deadline cannot always be met. Circumstances such as the unavailability of the involved parties, a particularly heavy investigator case load, a complex case, etc. can create a situation in which six months is not a sufficient amount of time to conduct a proper investigation. Although the number of cases affected by this change is expected to be minimal, the Board of Architects recently had two cases go unresolved because the deadline had passed. This bill removes the six-month deadline in an attempt to allow for complete investigations and timely hearings.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Labor, Licensing, and Regulation; Department of Legislative Services

**Fiscal Note History:** First Reader – January 16, 2001  
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