

SENATE BILL 124

D1, P3

9lr1224

By: **Senator Brochin**

Introduced and read first time: January 16, 2009

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Office of Administrative Hearings – Contested Cases – Time Limit**

3 FOR the purpose of altering a certain time limit by which the Office of Administrative
4 Hearings is required to complete certain procedures in contested cases
5 delegated to the Office by a State agency; providing for the application of this
6 Act; and generally relating to altering a certain time limit for completion of
7 certain procedures in contested cases delegated to the Office of Administrative
8 Hearings.

9 BY repealing and reenacting, without amendments,
10 Article – State Government
11 Section 10–205(b)
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2008 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – State Government
16 Section 10–205(e)
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2008 Supplement)

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

21 **Article – State Government**

22 10–205.

23 (b) An agency may delegate to the Office the authority to issue:

24 (1) proposed or final findings of fact;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (2) proposed or final conclusions of law;
- 2 (3) proposed or final findings of fact and conclusions of law;
- 3 (4) proposed or final orders or orders under Article 49B of the Code; or
- 4 (5) the final administrative decision of an agency in a contested case.
- 5 (e) (1) The Office shall:
- 6 (i) conduct the hearing; and
- 7 (ii) except as provided in paragraph (2) of this subsection or as
- 8 otherwise required by law, within [90] **45** days after the completion of the hearing,
- 9 complete the procedure authorized in the agency's delegation to the Office.
- 10 (2) The time limit specified in paragraph (1)(ii) of this subsection may
- 11 be extended with the written approval of the Chief Administrative Law Judge.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be

13 construed to apply only prospectively and may not be applied or interpreted to have

14 any effect on or application to any contested case hearing conducted before the

15 effective date of this Act.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect

17 October 1, 2009.