

filing of the notice of appeal, pending the final determination of the issue, shall act as a stay of any such ruling, order or decision, except where such ruling, order or decision approves or permits a filing of an insurer or rating organization.

The Baltimore City Court shall hear and decide the appeal within 60 days after the date of the filing of the notice of appeal, and shall affirm, reverse or modify the Commissioner's order or decision appealed from.

If the Baltimore City Court finds that the Commissioner's order or decision is not supported by the preponderance of the evidence on consideration of the record as a whole, or is not in accordance with law, the court shall reverse or modify the Commissioner's order or decision in whole or in part.

An appeal to the Court of SPECIAL Appeals [of Maryland] may be taken from the decision of the Baltimore City Court as in other civil cases. The Commissioner shall be made a party to every appeal of this nature.

SECTION 12. AND BE IT FURTHER ENACTED, That Sections 72 and 91(b) of Article 56 - Licenses, of the Annotated Code of Maryland (1972 Replacement Volume and 1975 Supplement) be and they are hereby repealed and reenacted, with amendments, to read as follows:

Article 56 - Licenses

72.

Any person aggrieved by any order of the Comptroller suspending, revoking, or refusing a special cigarette license may appeal to the Baltimore City Court or the circuit court of the county where he resides or has his principal place of business. The appeal shall be tried on the record made before the Comptroller, with the right reserved to either party to offer additional evidence, if desired, and the court shall determine the issue de novo, after considering the applicable provisions of the law and all of the evidence before it. The decision of the reviewing court may be appealed to the Court of SPECIAL Appeals [of Maryland].

91.

(b) Any person aggrieved by any decision of the Superintendent, after a hearing, in refusing to issue or renew a license, or revoking or suspending a license shall have the right to judicial review thereof, which review shall be without the intervention of a jury, by appeal to the circuit courts for the several counties or the Baltimore City Court, as the case may be. Said review shall be had on the record and proceedings before the Superintendent; provided that, in the discretion of the court, any party, including the Superintendent, shall have the right to present any new or additional evidence pertinent to the matter. The determination of the Superintendent shall be prima facie correct and the