

SHALL REVIEW THE FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF THE HEARING BOARD AND THEN HE SHALL ISSUE HIS FINAL ORDER. THE CHIEF'S FINAL ORDER AND DECISION IS BINDING AND MAY BE APPEALED IN ACCORDANCE WITH THIS SUBTITLE. BEFORE THE CHIEF MAY INCREASE THE RECOMMENDED PENALTY OF THE HEARING BOARD, HE PERSONALLY SHALL REVIEW THE ENTIRE RECORD OF THE HEARING BOARD PROCEEDINGS, AND SHALL PERMIT THE LAW-ENFORCEMENT OFFICER TO BE HEARD AND SHALL STATE THE REASON FOR INCREASING THE RECOMMENDED PENALTY.

(D) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SUBTITLE, IF A CHIEF IS AN EYEWITNESS TO THE INCIDENT UNDER INVESTIGATION, THE DECISION OF THE HEARING BOARD, BOTH AS TO FINDINGS OF FACT AND PUNISHMENT, IF ANY, IS FINAL. THE DECISION THEN MAY BE APPEALED IN ACCORDANCE WITH § 732 OF THIS SUBTITLE.

732.

Appeal from decisions rendered in accordance with § [§730 and] 731 shall be taken TO THE CIRCUIT COURT OF THE COUNTIES OR THE BALTIMORE CITY COURT pursuant to Maryland Rule B2. ANY PARTY AGGRIEVED BY A DECISION OF A COURT UNDER THIS SUBTITLE MAY APPEAL TO THE COURT OF SPECIAL APPEALS.

733.

[No] A law-enforcement officer [shall] MAY NOT be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to his employment or be threatened with any such treatment, by reason of his exercise of or demand for the rights granted in this subtitle, or by reason of the lawful exercise of his constitutional rights.

734.

Any law-enforcement officer who is denied any right afforded by this subtitle may apply AT ANY TIME PRIOR TO THE COMMENCEMENT OF THE HEARING BEFORE THE HEARING BOARD, either individually or through his certified or recognized employee organization, to the [District] CIRCUIT Court of the [district] CIRCUIT OR THE BALTIMORE CITY COURT where he [resides or] is regularly employed for any order directing the law-enforcement agency to show cause why the right should not be afforded.

734B.

THE PROVISIONS OF THIS SUBTITLE SHALL SUPERCEDE ANY STATE, COUNTY OR MUNICIPAL LAW, ORDINANCE, OR REGULATION THAT CONFLICTS WITH THE PROVISIONS OF THIS SUBTITLE, AND ANY LOCAL LEGISLATION SHALL BE PREEMPTED BY THE SUBJECT AND MATERIAL OF THIS SUBTITLE.