

(A) RIGHT TO HEARING.

BEFORE THE BANK COMMISSIONER DENIES AN APPLICATION UNDER § 12-307 OF THIS SUBTITLE OR TAKES ANY ACTION UNDER § 12-316 OF THIS SUBTITLE, THE BANK COMMISSIONER SHALL GIVE THE APPLICANT OR LICENSEE AN OPPORTUNITY FOR A HEARING.

(B) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

NOTICE OF THE HEARING SHALL BE GIVEN AND THE HEARING SHALL BE HELD IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

(C) SPECIFIC NOTICE REQUIREMENTS.

THE HEARING NOTICE TO AN APPLICANT OR LICENSEE SHALL BE SENT BY REGISTERED MAIL TO THE APPLICANT OR TO THE PRINCIPAL PLACE OF BUSINESS OF THE LICENSEE AT LEAST 10 DAYS BEFORE THE HEARING.

REVISOR'S NOTE: This section is new language derived from the notice and hearing provisions of Art. 66, §§ 47 and 50.

Subsection (b) of this section is new language added to advise the reader of the general applicability of the Administrative Procedure Act, Art. 41, § 244 et seq. of the Code.

In subsection (c) of this section, the requirement in present Art. 66, § 50 that the notice be sent by "registered mail" is made applicable to the notice required for denial of a license under § 12-307 of this subtitle as well. The present reference to "certified" mail is deleted as unnecessary in light of Art. 1, § 20 of the Code, which provides that references to "registered" mail includes "certified" mail. The present requirement that the notice state "the contemplated action and in general the grounds therefor" is deleted as unnecessary under subsection (b) of this section and the general, more inclusive requirements of the Administrative Procedure Act, in Art. 41, § 251 of the Code.

12-318. REINSTATEMENT OF SUSPENDED LICENSE AND ISSUANCE OF NEW LICENSE TO PERSON WHOSE LICENSE HAS BEEN REVOKED.

THE BANK COMMISSIONER MAY REINSTATE A SUSPENDED LICENSE OR ISSUE A NEW LICENSE TO A PERSON WHOSE LICENSE HAS BEEN REVOKED IF, AFTER INVESTIGATION, THE BANK COMMISSIONER IS SATISFIED THAT THE CONDITIONS THAT WERE THE CAUSE FOR THE SUSPENSION OR REVOCATION HAVE BEEN CORRECTED AND ARE UNLIKELY TO RECUR.

REVISOR'S NOTE: This section is new language derived
