

The reference under present Art. 43, § 799(a)(4) to the publication of the code of ethics of the Board now appears in § 19-205(2) of this title.

As to the power of the Board to investigate violations of this title and to enforce its provisions, see § 19-312 of this subtitle.

19-314. SAME -- HEARINGS.

(A) RIGHT TO A HEARING.

EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, BEFORE THE BOARD TAKES ANY ACTION UNDER § 19-313 OF THIS SUBTITLE OR DENIES A LICENSE OR LIMITED LICENSE FOR ANY OTHER REASON, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(B) APPLICATION OF ADMINISTRATIVE PROCEDURE ACT.

THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

(C) MAILING OF NOTICE REQUIREMENTS.

ANY NOTICE GIVEN UNDER THIS SECTION SHALL BE SENT BY FIRST CLASS MAIL TO THE LAST KNOWN ADDRESS GIVEN TO THE BOARD BY THE INDIVIDUAL.

(D) EX PARTE HEARINGS.

IF AFTER DUE NOTICE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE BOARD MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 797(c) and the first sentence of § 807.

Subsection (d) of this section is new language added to clarify that the Board may proceed with the ex parte hearing if the accused person has been given due notice.

In subsection (a) of this section, the introductory language, "except as otherwise provided in the Administrative Procedure Act", is new language added to clarify that the Board may summarily take action against an individual under certain circumstances. See Art. 41, § 250A(c) of the Code.

As to subsection (a) of this section, the present statement that the Board may not refuse to renew a license or a limited license without a hearing is deleted as unnecessary since the Board does