

(F) (1) UPON THE RECEIPT OF A WRITTEN NOTICE OF A LICENSEE OR PERMIT HOLDER'S INTENT TO CONTEST A CITATION, THE BOARD SHALL HOLD A HEARING, IN ACCORDANCE WITH § 5-315 OR § 5-523 OF THIS TITLE, REGARDING THE CITED VIOLATIONS.

(2) A HEARING HELD IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE DELEGATED TO THE OFFICE OF ADMINISTRATIVE HEARINGS UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(G) (1) THE BOARD SHALL ESTABLISH BY REGULATION A SCHEDULE OF CIVIL PENALTIES FOR VIOLATIONS OF THIS TITLE AND REGULATIONS ADOPTED BY THE BOARD.

(2) THE CIVIL PENALTIES IMPOSED UNDER THIS SUBSECTION MAY NOT EXCEED \$300 FOR ALL VIOLATIONS CITED ON A SINGLE DAY.

Article - State Government

10-205.

(a) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A board, commission, or agency head authorized to conduct a contested case hearing shall:

(i) conduct the hearing; or

(ii) delegate the authority to conduct the contested case hearing to:

1. the Office; or

2. with the prior written approval of the Chief Administrative Law Judge, a person not employed by the Office.

(2) A HEARING HELD IN ACCORDANCE WITH § 4-608(F) OR § 5-610(F) OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE MAY NOT BE DELEGATED TO THE OFFICE.

[(2)] (3) With the written approval of the Chief Administrative Law Judge, a class of contested case hearings may be delegated as provided in paragraph (1)(i)2 of this subsection.

[(3)] (4) This subsection is not intended to restrict the right of an individual, expressly authorized by a statute in effect on October 1, 1993, to conduct a contested case hearing.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved May 10, 2005.