

This section is revised to state expressly that an agency disposes of a contested case.

In item (2) of this section, the word "agreed", which formerly modified the word "settlement", is deleted as implicit in "settlement".

Defined terms: "Agency" § 10-201
"Contested case" § 10-201

10-207. DELEGATION OF HEARING AUTHORITY.

(A) AUTHORIZED.

AN AGENCY OR AN OFFICIAL OR EMPLOYEE OF AN AGENCY MAY DELEGATE TO A HEARING OFFICER THE AUTHORITY THAT THE AGENCY, OFFICIAL, OR EMPLOYEE HAS TO HEAR PARTICULAR CONTESTED CASES.

(B) DUTIES OF HEARING OFFICER.

THE HEARING OFFICER SHALL:

(1) CONDUCT THE HEARING; AND

(2) SUBMIT IN WRITING TO THE AGENCY, OFFICIAL, OR EMPLOYEE WHO DELEGATED THE AUTHORITY:

(I) PROPOSED FINDINGS OF FACT; AND

(II) PROPOSED CONCLUSIONS OF LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 251A(b).

In subsection (a) of this section, the phrase "particular contested cases" is substituted for the former reference to delegation of authority "on an ad hoc basis", for clarity. This substitution reflects that, in practice, officials delegate authority to hear a group of a particular type of case and do not delegate cases individually.

Also in subsection (a) of this section, the former phrase "[i]n addition to any other hearing authority or procedure authorized by law" is deleted as surplusage.

In subsection (b)(2) of this section, the clause "who delegated the authority" is added to modify the reference to an "agency, official, or employee", for clarity.

Defined terms: "Agency" § 10-201