

SUBTITLE 3. ADMINISTRATIVE PROCEDURE ACT -- DECLARATORY RULINGS.

10-301. "UNIT" DEFINED.

IN THIS SUBTITLE, "UNIT" MEANS AN OFFICER OR UNIT THAT IS AUTHORIZED BY LAW TO:

(1) ADOPT REGULATIONS SUBJECT TO SUBTITLE 1 OF THIS TITLE; OR

(2) ADJUDICATE CONTESTED CASES SUBJECT TO SUBTITLE 2 OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the introductory language of former Art. 41, § 244 and the first clause of the first sentence of (a).

In items (1) and (2) of this section, respectively, the references "subject to Subtitle 1 of this title" and "under Subtitle 2 of this title" are added to reflect that, because of the revision of parts of former Art. 41, §§ 244 through 256A in Subtitles 1 through 4 of this title, the former definitions of "rule" -- now revised as "regulation" in § 10-101 of this title -- and "contested case" no longer appear with this section. In light of these additions, it is unnecessary to revise, in this subtitle, the third sentence of former Art. 41, § 244(a), which included multicounty units as an "agency", or the former exception for officers or units "in the legislative or judicial branches". Cf. § 10-302 of this subtitle, which would be unnecessary as to units authorized to adjudicate contested cases, but is necessary as to units authorized to adopt regulations, since the units excluded under § 10-302 of this subtitle are subject to parts of Subtitle 1 of this title.

10-302. SCOPE OF SUBTITLE.

(A) GENERAL EXCLUSIONS.

THIS SUBTITLE DOES NOT APPLY TO:

- (1) THE GOVERNOR;
- (2) THE DEPARTMENT OF ASSESSMENTS AND TAXATION;
- (3) THE BOARD OF APPEALS OF THE DEPARTMENT OF EMPLOYMENT AND TRAINING;
- (4) THE INSURANCE DIVISION OF THE DEPARTMENT OF LICENSING AND REGULATION;
- (5) THE STATE ACCIDENT FUND OF THE DEPARTMENT OF PERSONNEL;