

~~(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, 15 DAYS AFTER THE DECISION OF A HEARING BOARD:~~

~~(1) THE DECISION SHALL BE CONSIDERED AS THE FINAL DECISION OF THE COMMISSION; AND~~

~~(1) ANY PARTY AGGRIEVED BY THE DECISION MAY TAKE A JUDICIAL APPEAL AS PROVIDED IN § 4-330 OF THIS SUBTITLE.~~

(2) (1) (I) WITHIN 15 DAYS AFTER THE FILING OF A DECISION BY A HEARING BOARD, THE COMMISSION OR ANY OF ITS MEMBERS MAY FILE AN EXCEPTION TO THE DECISION OF THE HEARING BOARD.

(II) ON THE FILING OF AN EXCEPTION UNDER PARAGRAPH (2)(1) OF THIS SUBSECTION SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION SHALL SET A HEARING ON THE MATTER.

(2) IF AN EXCEPTION IS NOT FILED WITHIN THE TIME ALLOWED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION:

(I) THE DECISION OF THE HEARING BOARD SHALL BE CONSIDERED AS THE FINAL DECISION OF THE COMMISSION; AND

(II) ANY PARTY AGGRIEVED BY THE DECISION MAY TAKE A JUDICIAL APPEAL AS PROVIDED IN § 4-330 OF THIS SUBTITLE.

SUBCOMMITTEE COMMENT: Subsections (a), (c)(3), and (d) of this section are new language derived without substantive change from former Art. 56, § 224A-1 and the fourth sentence of § 224A(b) and the first sentence, except as that sentence referred to members of the hearing board.

Subsection (b) of this section is new language added to clarify that the hearing board, as a body to which the Commission may refer complaints, shall act on complaints in the same manner as the Commission would.

Subsection (c)(1) and (2) of this section is new language substituted for the second sentence of former Art. 56, § 224A(b), which provided that the board shall hold a hearing on all matters referred to it by the Commission. This substitution is based on the actual practice of the Commission and the hearing boards and provides an express procedure for the hearing board to follow in determining whether to act on or dismiss a complaint. This substitution was recommended by the Joint Subcommittee on the Business Occupations Article.

In subsection (d)(1)(i) of this section, a reference to the filing of an "exception to the decision of the hearing board" is substituted for the former vague