

In subsection (a) of this section, the express reference to a complaint "by a member of the Board" is added to clarify that the former reference to "any person" included the Board itself.

In subsection (b)(2) of this section, the phrase "other than a member of the Board" is standard language added to clarify that a member of the Board who makes a complaint need not make it under oath.

Also in subsection (b)(2) of this section, the requirement that a complaint be "made under oath" is substituted for the former requirement that a complaint be "sworn". See § 1-202 of this article.

In subsection (c) of this section, the word "adequate" is added to clarify that a complaint may not be based on charges that former Art. 56, § 473(c) referred to as "unfounded or trivial".

Also in subsection (c) of this section, the reference to "grounds for action under § 3-311 of this subtitle" is substituted for the former list of specific complaints. This substitution clarifies that, in order for the Board to act on a complaint, it must be based on a charge that is actionable under § 3-311 of this subtitle.

Defined terms: "Board" § 3-101
"Person" § 1-101

3-313. SAME -- HEARINGS.

(A) RIGHT TO HEARING.

(1) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 4 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE BOARD TAKES ANY FINAL ACTION UNDER § 3-311 OF THIS SUBTITLE, IT SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(2) A HEARING SHALL BE HELD WITHIN A REASONABLE TIME, NOT EXCEEDING 6 MONTHS, AFTER THE COMPLAINT IS MADE.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) SPECIFIC NOTICE REQUIREMENTS.

AT LEAST 30 DAYS BEFORE THE HEARING, THE HEARING NOTICE AND A COPY OF THE COMPLAINT SHALL BE: