

(A) COMMENCEMENT.

SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD SHALL COMMENCE PROCEEDINGS UNDER § 7-309 OF THIS SUBTITLE ON COMPLAINT MADE TO THE BOARD BY A MEMBER OF THE BOARD OR ANY OTHER PERSON.

(B) FORM AND CONTENTS OF COMPLAINT.

(1) A COMPLAINT SHALL BE:

(I) IN WRITING; AND

(II) SUBMITTED TO THE SECRETARY OF THE BOARD.

(2) IF THE COMPLAINT IS MADE BY ANY PERSON OTHER THAN A MEMBER OF THE BOARD, THE COMPLAINT SHALL BE MADE UNDER OATH BY THE PERSON WHO SUBMITS THE COMPLAINT.

(C) HEARING; DISMISSAL.

IF THE BOARD FINDS THAT A COMPLAINT ALLEGES FACTS THAT ARE ADEQUATE GROUNDS FOR ACTION UNDER § 7-309 OF THIS SUBTITLE, THE BOARD SHALL ACT ON THE COMPLAINT AS PROVIDED UNDER § 7-311 OF THIS SUBTITLE. IF THE BOARD DOES NOT MAKE THAT FINDING, IT SHALL DISMISS THE COMPLAINT.

REVISOR'S NOTE: This section is new language derived without substantive change from the third and fourth sentences and, except as it related to the time for a hearing, the fifth sentence of former Art. 56, § 317.

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, § 317 referred to as "trivial or unfounded".

Also in subsection (c) of this section, the reference to "grounds for action under § 7-309 of this subtitle"