

AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

(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) OATHS.

THE BOARD MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(D) SUBPOENAS.

(1) THE BOARD MAY ISSUE A SUBPOENA FOR THE ATTENDANCE OF A WITNESS TO TESTIFY OR THE PRODUCTION OF EVIDENCE IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(2) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS SUBSECTION, ON PETITION OF THE BOARD, A CIRCUIT COURT MAY COMPEL COMPLIANCE WITH THE SUBPOENA.

(E) FAILURE OR REFUSAL TO APPEAR.

IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE BOARD MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: Subsections (a) through (d) of this section formerly appeared as Art. 75A, § 2-317.

Subsection (e) of this section is standard language added to clarify that, after an accused individual has been given proper notice, the Board may proceed with a hearing even if the individual fails to appear.

In subsection (a) of this section, the word "final" is added to modify the word "action", for clarity and conformity to similar provisions elsewhere in this article.

In subsection (d)(1) of this section, the phrase "to testify" is added to clarify that the subpoena of the Board requires not merely attendance but also compliance with an order to testify.

The only other changes are in style.

As to judicial review, see § 2-209 of this title.

Defined terms: "Board" § 2-101