

(2) IN SEEKING AN INJUNCTION UNDER THIS SUBSECTION, THE BOARD IS NOT REQUIRED TO:

(I) POST BOND; OR

(II) ALLEGE OR PROVE EITHER THAT:

1. AN ADEQUATE REMEDY AT LAW DOES NOT EXIST; OR

2. SUBSTANTIAL OR IRREPARABLE DAMAGE WOULD RESULT FROM THE CONTINUED VIOLATION OF THE PROVISION.

(3) A MEMBER OF THE BOARD MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACTION TAKEN UNDER THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 75 1/2, § 8(d), (e), and (f).

The introductory phrase of subsection (a) of this section, "[s]ubject to the State budget" is added to reflect that the State budget controls funding for an investigative staff.

In the introductory language of subsection (b)(1) of this section, the word "evidence" is substituted for the former reference to "books, papers, documents or other pertinent data", for brevity.

In subsection (c)(1) of this section, the former phrases "in the established manner provided in cases of civil procedure" are deleted as surplusage.

In subsection (c)(3) of this section, the phrases "for any action taken under this subsection" are substituted for the former phrase "under this proceeding", to preclude the seemingly unintended result of liability through separate proceedings.

The Business Occupations Article Review Committee notes, for consideration by the General Assembly, that, consistent with the former law, the exemption under subsection (c)(3) of this section does not include the "good faith" requirement customarily found in comparable provisions in the Code.

Defined terms: "Board" § 14-101  
"Person" § 1-101

14-207. CERTIFICATION ABOUT LICENSEE.

(A) REQUEST FOR CERTIFICATION.