

(B) NOTICE OF SUMMARY REVOCATION; PROMPT HEARING.

THE COMMISSION MAY ORDER SUMMARILY A REVOCATION UNDER THIS SECTION ONLY IF IT GIVES THE LICENSEE:

(1) WRITTEN NOTICE OF THE REVOCATION AND THE FINDING ON WHICH THE REVOCATION IS BASED; AND

(2) AFTER THE SUMMARY REVOCATION IS EFFECTIVE, AN OPPORTUNITY TO BE HEARD PROMPTLY BEFORE THE COMMISSION OR, AS PROVIDED UNDER § 16-326 OF THIS SUBTITLE, BEFORE A HEARING BOARD.

(C) ELECTION TO HOLD HEARING BEFORE REVOCATION.

(1) RATHER THAN ORDER SUMMARILY A REVOCATION OF A LICENSE UNDER THIS SECTION, THE COMMISSION MAY ELECT NOT TO REVOKE THE LICENSE UNTIL AFTER THE LICENSEE IS GIVEN AN OPPORTUNITY FOR A HEARING.

(2) IF THE COMMISSION ELECTS TO GIVE THE LICENSEE AN OPPORTUNITY FOR A HEARING BEFORE REVOKING THE LICENSE FOR THE GROUNDS SET FORTH IN THIS SECTION, THE COMMISSION SHALL GIVE NOTICE AND HOLD THE HEARING IN THE SAME MANNER AS REQUIRED UNDER § 16-324 OF THIS SUBTITLE.

(D) SCOPE OF EVIDENCE.

(1) IN ANY HEARING HELD ON THE GROUNDS FOR REVOCATION UNDER SUBSECTION (A) OF THIS SECTION, THE COMMISSION MAY RESTRICT THE ADMISSION OF EVIDENCE TO THE ISSUE WHETHER:

(I) THE ALLEGED CONVICTION IN FACT OCCURRED; OR

(II) THE ALLEGED REVOCATION IN FACT OCCURRED.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, IN ANY HEARING HELD ON THE GROUNDS FOR REVOCATION UNDER SUBSECTION (A) OF THIS SECTION, A LICENSEE MAY PRESENT MATTERS IN MITIGATION OF THE OFFENSE CHARGED.

REVISOR'S NOTE: This section formerly appeared as Art. 56A, § 4-328.

The only changes are in style.

Defined terms: "Commission" § 16-101
"Hearing board" § 16-101 "License" § 16-101
"State" § 1-101

16-328. SUMMARY SUSPENSION OF LICENSES FOR TRUST FUND VIOLATIONS.