

(2) if the applicant or individual fraudulently or deceptively obtains or attempts to obtain certification as a private detective for the applicant or individual or for another; or

(3) if the applicant or individual fails to maintain the standards set by the [Superintendent] SECRETARY for certification as a private detective.

DRAFTER'S NOTE:

This section is amended to reflect the status of the head of the Department of State Police as the Secretary of a principal department of State government in light of Chs. 165 and 166, Acts of 1994.

13-410.

(a) Subject to this section, the [Superintendent] SECRETARY shall commence proceedings under § 13-409 of this subtitle on the [Superintendent's] SECRETARY'S own complaint or on a complaint made to the [Superintendent] SECRETARY by any person.

(b) (2) If a complaint is made by any person other than the [Superintendent] SECRETARY, the complaint shall be made under oath by the person who submits the complaint.

(c) (1) On receipt of a complaint that alleges facts that are grounds for action under § 13-409 of this subtitle, the [Superintendent] SECRETARY shall appoint an officer of the DEPARTMENT OF [Maryland] State Police, with the rank of lieutenant or above, as the investigating officer for the complaint.

(2) The investigating officer may assign responsibility for conducting the investigation to other members of the DEPARTMENT OF [Maryland] State Police.

(d) (2) If the investigating officer finds a reasonable basis as provided under paragraph (1) of this subsection, the [Superintendent] SECRETARY shall act on the complaint as provided under § 13-411 of this subtitle.

DRAFTER'S NOTE:

Subsections (a), (b)(2), (c), and (d)(2) of this section are amended to reflect the establishment of the Department of State Police as a principal department of State government by Chs. 165 and 166, Acts of 1994, to reflect the status of the head of the Department as a Secretary of a principal department of State government, and to delete surplus language.

13-411.

(a) Except as otherwise provided in Title 10, Subtitle 4 of the State Government Article, before the [Superintendent] SECRETARY takes any final action under § 13-409 of this subtitle, the [Superintendent] SECRETARY shall give the individual against whom the action is contemplated an opportunity for a hearing before the [Superintendent] SECRETARY.