

and other electronic means to include specifically the holding of hearings by video conferencing; requiring good cause for objections to the holding of hearings by certain means; clarifying the alternatives for holding hearings if certain objections are established; requiring the Office of Administrative Hearings to report certain information to certain committees of the General Assembly; and generally relating to the Administrative Procedure Act.

BY repealing and reenacting, with amendments,

Article - State Government

Section 10-211

Annotated Code of Maryland

(1995 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - State Government

10-211.

(A) [If a party does not object,] IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION, a hearing may be conducted by telephone, VIDEO CONFERENCING, or other electronic means.

(B) (1) FOR GOOD CAUSE, A PARTY MAY OBJECT TO THE HOLDING OF A HEARING BY TELEPHONE, VIDEO CONFERENCING, OR OTHER ELECTRONIC MEANS.

(2) IF A PARTY ESTABLISHES GOOD CAUSE IN OPPOSITION TO THE HOLDING OF A HEARING BY TELEPHONE OR OTHER SIMILAR AUDIO ELECTRONIC MEANS, THE HEARING SHALL BE HELD IN PERSON OR BY VIDEO CONFERENCING OR OTHER SIMILAR AUDIOVISUAL ELECTRONIC MEANS.

(3) IF A PARTY ESTABLISHES GOOD CAUSE IN OPPOSITION TO THE HOLDING OF A HEARING BY VIDEO CONFERENCING OR OTHER SIMILAR AUDIOVISUAL ELECTRONIC MEANS, THE HEARING SHALL BE CONDUCTED IN PERSON.

SECTION 2. AND BE IT FURTHER ENACTED, That the Office of Administrative Hearings shall report, in accordance with § 2-1312 of the State Government Article, the following information to the Senate Judicial Proceedings Committee and the House Commerce and Government Matters Committee before October 1 of each year:

(1) The number of hearings that were conducted by telephone or video conferencing during the preceding fiscal year;

(2) The types of cases in which hearings were conducted by telephone or video conferencing;

(3) The number of cases in which a party objected to the holding of a hearing by telephone or video conferencing, the grounds for those objections, and the disposition of each objection;