

[(2)](B) Upon filing of the [notice of appeal] PETITION FOR JUDICIAL REVIEW therein the court shall have full jurisdiction, and shall determine whether such filing shall operate as a stay of the order or action from which an appeal is taken.

[(3)](C) (1) [Within 30 days after filing of the copy of the notice of appeal in his office] AFTER RECEIVING A COPY OF A PETITION FOR JUDICIAL REVIEW, the Commissioner, WITHIN THE TIME SPECIFIED IN THE MARYLAND RULES, shall make and return to the court in which the appeal is pending a copy of his order appealed from and a full and complete transcript, duly certified by the Commissioner, of the record upon which the order was issued, together with all exhibits and documentary evidence introduced thereat.

(2) If the appeal is from an action of the Commissioner with respect to which a hearing was refused, the Commissioner, WITHIN THE TIME SPECIFIED IN THE MARYLAND RULES, shall [within such 30 day period] make and return to the court a full and complete transcript, duly certified by him, of all documents on file in his office directly relating to the matter as to which such appeal is taken.

[(4)](D) (1) The court may affirm the decision of the Commissioner or remand the case for further proceedings; or it may reverse or modify the decision if the substantial rights of the petitioners may have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- (i) In violation of constitutional provisions; or
- (ii) In excess of the statutory authority or jurisdiction of the Commissioner; or
- (iii) Made upon unlawful procedure; or
- (iv) Affected by other error of law; or
- (v) Unsupported by competent, material, and substantial evidence in view of the entire record as submitted; or
- (vi) Arbitrary or capricious.

[(5)](2) Costs shall be awarded as in civil actions.

[(6)](E) (1) Appeal by any party [appellant or party appellee including], INCLUDING the [Commissioner] COMMISSIONER, may be taken to the Court of Special Appeals from the judgment of the Circuit Court for Baltimore City or circuit court of the county, as in other civil cases.

(2) A stay of the effectiveness of any such judgment may be made only by order of court upon the giving of such security as the court deems proper.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows: