

(2) IF A COMPLAINT IS MADE BY ANY PERSON OTHER THAN THE 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 § 19-408 OF THIS SUBTITLE, THE SECRETARY SHALL APPOINT AN OFFICER OF THE DEPARTMENT OF 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 STATE POLICE.

(D) (1) ON CONCLUSION OF THE INVESTIGATION, THE INVESTIGATING OFFICER SHALL DETERMINE WHETHER THERE IS A REASONABLE BASIS TO BELIEVE THAT THERE ARE GROUNDS FOR DISCIPLINARY ACTION UNDER § 19-408 OF THIS SUBTITLE.

(2) IF THE INVESTIGATING OFFICER FINDS A REASONABLE BASIS AS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL ACT ON THE COMPLAINT AS PROVIDED UNDER § 19-410 OF THIS SUBTITLE.

19-410.

(A) EXCEPT AS OTHERWISE PROVIDED IN § 10-226 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE SECRETARY TAKES ANY FINAL ACTION UNDER § 19-408 OF THIS SUBTITLE, THE SECRETARY SHALL GIVE THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE SECRETARY.

(B) THE SECRETARY SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) THE SECRETARY MAY ADMINISTER OATHS IN CONNECTION WITH ANY PROCEEDING UNDER THIS SECTION.

(D) THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL SHALL BE WRITTEN AND SENT AT LEAST 10 DAYS BEFORE THE HEARING.

(E) THE INDIVIDUAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(F) IF, AFTER DUE NOTICE, THE INDIVIDUAL AGAINST WHOM THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS THE SECRETARY MAY HEAR AND DETERMINE THE MATTER.

19-411.

WITHIN 5 DAYS AFTER THE SECRETARY SUSPENDS OR REVOKES THE CERTIFICATION OF AN INDIVIDUAL AS SECURITY GUARD, THE INDIVIDUAL SHALL SURRENDER TO THE SECRETARY THE CERTIFICATION CARD OF THE INDIVIDUAL.