

(b) The Board shall give notice and hold the hearing in accordance with the Administrative Procedure Act.

(c) At least 10 days before the hearing, the hearing notice and a copy of the complaint required by § 4-316 of this subtitle shall be served on the individual by delivery to the last known business and home addresses of the individual by:

(1) Hand delivery; or

(2) Certified mail, return receipt requested, bearing a postmark from the United States Postal Service.

(d) In accordance with the State budget, the Board may authorize payment of fees and travel expenses of witnesses who testify in a proceeding under this section.

(e) The individual may be represented at the hearing by counsel.

(f) The Board may administer oaths and take depositions of witnesses in any proceeding under this section.

(g) (1) Over the signature of [the Board secretary] AN OFFICER OR THE ADMINISTRATOR OF THE BOARD, the Board may issue subpoenas and administer oaths to witnesses in connection with any investigation under this title and any hearings or proceedings before it.

(2) The Board shall issue subpoenas on behalf of the individual if the individual requests in writing that the Board do so.

(3) If, without lawful excuse, a person disobeys a subpoena from the Board or an order by the Board to take an oath or to testify or answer a question, then, on petition of the Board, a court of competent jurisdiction may punish the person as for contempt of court.

(4) If, without lawful excuse, an individual disobeys a subpoena from the Board or an order by the Board to take an oath, testify, or answer a question, on petition of the Board, a court of competent jurisdiction may compel compliance with the subpoena.

(h) If after due notice the individual against whom the action is contemplated fails or refuses to appear, nevertheless the Board may hear and determine the matter.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved April 22, 2003.

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