

~~TITLE § 8-6B-17 OR § 8-6B-18 OF THIS SUBTITLE~~, IT SHALL GIVE THE INDIVIDUAL PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE BOARD.

~~(D)~~ (B) THE BOARD SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

~~(E)~~ (C) THE HEARING NOTICE TO BE GIVEN TO THE INDIVIDUAL PERSON SHALL BE SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE, TO THE LAST KNOWN ADDRESS OF THE INDIVIDUAL PERSON AT LEAST 30 DAYS BEFORE THE HEARING.

~~(F)~~ (D) THE INDIVIDUAL PERSON MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

~~(G)~~ (E) (1) THE BOARD MAY ISSUE SUBPOENAS AND ADMINISTER OATHS IN CONNECTION WITH A PROCEEDING UNDER THIS SECTION.

(2) IF, WITHOUT LAWFUL EXCUSE, ~~AN INDIVIDUAL~~ A PERSON DISOBEYS A SUBPOENA FROM THE BOARD OR AN ORDER BY THE BOARD TO TAKE AN OATH, TESTIFY, OR ANSWER A QUESTION, THEN ON PETITION OF THE BOARD, A COURT OF COMPETENT JURISDICTION:

(I) SHALL COMPEL COMPLIANCE WITH THE SUBPOENA; AND

(II) MAY HOLD THE INDIVIDUAL PERSON IN CONTEMPT OF COURT.

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

~~(I)~~ (G) THE HEARING OF CHARGES MAY NOT BE STAYED OR CHALLENGED BY PROCEDURAL DEFECTS ALLEGED TO HAVE OCCURRED PRIOR TO THE FILING OF CHARGES.

~~8-6B-19. 8-6B-20.~~

(A) IF AFTER A HEARING UNDER ~~§ 8-6B-18~~ § 8-6B-19 OF THIS SUBTITLE THE BOARD FINDS THAT THERE ARE GROUNDS UNDER THAT SECTION TO SUSPEND OR REVOKE A LICENSE, THE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000:

(1) INSTEAD OF SUSPENDING THE LICENSE; OR

(2) IN ADDITION TO SUSPENDING OR REVOKING THE LICENSE.

(B) THE BOARD SHALL ADOPT RULES AND REGULATIONS TO SET STANDARDS FOR THE IMPOSITION OF PENALTIES UNDER THIS SECTION.

(C) THE BOARD SHALL PAY A PENALTY COLLECTED UNDER THIS SECTION INTO THE GENERAL FUND OF THE STATE.