

REVISOR'S NOTE: This section is new language derived without substantive change from the fourth sentence of former Art. 95A, § 8(d)(3)(v) and the eighth sentence of (g) and the sixth sentence of § 7(f) as that sentence related to the revisory power of the Board of Appeals.

The word "final", which modifies "decision of the Board of Appeals", is added to clarify that a person may appeal only a final decision of the Board of Appeals. See Secretary, Maryland Department of Human Resources v. Wilson, 286 Md. 639 (1979); and Celanese Corporation of America v. Bartlett, 200 Md. 397 (1952).

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the 10-day revisory power expressly applies only to decisions on benefits. The General Assembly may wish to consider the need for this limitation, since the Board of Appeals must give to employers who appeal issues concerning contributions and reimbursement payments a reasonable opportunity for a fair hearing as provided under the provisions on benefits.

Defined terms: "Benefits" § 8-101

"Board of Appeals" § 8-101

## 8-512. JUDICIAL REVIEW.

### (A) IN GENERAL.

(1) ANY PARTY WHO IS AGGRIEVED BY A FINAL DECISION OF THE BOARD OF APPEALS MAY APPEAL THE DECISION TO A CIRCUIT COURT.

(2) THE BOARD OF APPEALS MAY BE A PARTY TO AN APPEAL UNDER THIS SECTION AND MAY BE REPRESENTED BY THE ATTORNEY GENERAL OR BY ANY QUALIFIED LAWYER WHO IS A REGULAR SALARIED EMPLOYEE OF THE BOARD OF APPEALS AND WHO HAS BEEN DESIGNATED BY IT FOR THAT PURPOSE ON RECOMMENDATION OF THE ATTORNEY GENERAL.

(3) A COURT OR AN OFFICER OF A COURT MAY NOT CHARGE AN INDIVIDUAL WHO CLAIMS BENEFITS A FEE IN ANY PROCEEDING UNDER THIS TITLE.

### (B) VENUE FOR APPEALS BY EMPLOYERS.

AN EMPLOYER THAT IS AGGRIEVED BY A FINAL DECISION UNDER § 8-602 OR § 8-629 OR § 8-638 OF THIS TITLE MAY APPEAL TO THE CIRCUIT COURT FOR BALTIMORE CITY OR FOR A COUNTY WHERE THE EMPLOYER DOES BUSINESS.

### (C) CERTIFICATION OF QUESTION OF LAW.