

Subsection (d) of this section is standard language added to clarify that, after the accused individual has been given proper notice, the Commission may proceed with a hearing even if the person fails to appear.

The introductory exception of subsection (a) of this section, "[e]xcept as otherwise provided in Title 10, Subtitle 4 of the State Government Article", is added to clarify that the Commission may act summarily under certain circumstances. See SG § 10-405(b).

In subsection (a) of this section, the former phrase "as provided in Commission regulations" is deleted as unnecessary in light of the hearing provisions that are enumerated in this section.

Subsection (b) of this section is revised in standard language to demonstrate clearly the intended application of the referenced subtitle to administrative hearings under this section.

In subsection (c) of this section, the reference to the "Commission" is substituted for the former obsolete reference to the "secretary".

Defined terms: "Commission" § 4-101
"Person" § 1-101

4-312. JUDICIAL REVIEW.

A PARTY TO A PROCEEDING BEFORE THE COMMISSION WHO IS AGGRIEVED BY A FINAL DECISION OF THE COMMISSION IN A CONTESTED CASE, AS DEFINED IN § 10-201 OF THE STATE GOVERNMENT ARTICLE, MAY TAKE AN APPEAL AS ALLOWED IN §§ 10-215 AND 10-216 OF THE STATE GOVERNMENT ARTICLE.

REVISOR'S NOTE: This section is standard language added to provide for judicial review.

The introductory phrase of this section conforms to SG § 10-215, which provides a right of judicial review of any "final decision" of a unit in a "contested case". A matter is a contested case if a party has a right to a hearing (see the definition of "contested case" in SG § 10-201(c)).

Defined term: "Commission" § 4-101

4-313. CONTESTS AUTHORIZED.

A PERSON MAY HOLD A CONTEST IN THE STATE ONLY IF IT IS AUTHORIZED BY THE COMMISSION AND IS IN ACCORDANCE WITH THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 112(a)(2).

The former words "conducted" and "given" are deleted in light of the word "hold".