

Subsection (a)(2) of this section is new language added, and subsection (a)(1) of this section is revised, to conform to almost all of the occupational licensing acts adopted by the General Assembly in the past several years. See, e.g., the comparable sections on disciplinary actions in the various titles of the Business Occupations and Professions Article.

The introductory language of subsection (a) of this section, “[s]ubject to the hearing provisions of § 7-309 of this subtitle”, is substituted for the former reference to “compliance with the Administrative Procedure Act” as more precise.

In subsection (a)(3) of this section, the reference to the “Maryland Consumer Debt Collection Act” is substituted for the former reference to a specific part of that Act, “§ 14-202 of the Commercial Law Article”, to conform to § 7-103 of this title.

Also in subsection (a)(3) of this section, the word “negligently” is substituted for the former words “without the exercise of due care” for clarity.

In subsection (a)(4) of this section, the word “order” is substituted for the former words “demand” and “requirement” for clarity.

The second sentence of former Art. 56, § 329(d), which stated that “[o]therwise” the Board is to suspend or revoke only a particular license to which a ground applies, is deleted as unnecessary in light of the condition imposed in subsection (b) of this section.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that former Art. 56, § 325(d)(1) enabled the Board to “reprimand”, as well as to suspend or revoke, “in accordance with” former Art. 56, §§ 323 through 329C. However, former §§ 323 through 329C contained no other reference to a reprimand. This section is revised to make the grounds and procedural requirements for revocation or suspension also applicable to reprimands.

The Committee also notes that former Art. 56, § 329(a)(1) was unclear as to whether the words “knowingly or without the exercise of due care” modified the ground of failure to comply with a lawful order of the Board, revised as subsection (a)(4) of this section. The Committee decided that those words did not modify failure to comply with a lawful order and did not add them to subsection (a)(4) of this section.

Defined terms: “Board” § 7-101

“License” § 7-101

“Person” § 1-101