

is deleted as unnecessary in light of subsection (b)(1) of this section.

Defined terms: "Agency" § 10-201
"Contested case" § 10-201

10-215. JUDICIAL REVIEW.

(A) FILING AUTHORIZED.

A PARTY WHO IS AGGRIEVED BY THE FINAL DECISION IN A CONTESTED CASE IS ENTITLED TO JUDICIAL REVIEW OF THE DECISION AS PROVIDED IN THIS SECTION.

(B) JURISDICTION AND VENUE.

A PETITION FOR JUDICIAL REVIEW SHALL BE FILED WITH THE CIRCUIT COURT FOR THE COUNTY WHERE ANY PARTY RESIDES OR HAS A PRINCIPAL PLACE OF BUSINESS.

(C) PARTIES.

THE COURT MAY PERMIT ANY OTHER INTERESTED PERSON TO INTERVENE IN A PROCEEDING UNDER THIS SECTION.

(D) EFFECT OF FILING.

(1) THE FILING OF A PETITION FOR JUDICIAL REVIEW DOES NOT AUTOMATICALLY STAY THE ENFORCEMENT OF THE FINAL DECISION.

(2) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE AGENCY MAY GRANT OR THE REVIEWING COURT MAY ORDER A STAY OF THE ENFORCEMENT OF THE FINAL DECISION ON TERMS THAT THE AGENCY OR COURT CONSIDERS PROPER.

(E) ADDITIONAL EVIDENCE BEFORE AGENCY.

(1) THE COURT MAY ORDER THE AGENCY TO TAKE ADDITIONAL EVIDENCE ON TERMS THAT THE COURT CONSIDERS PROPER IF:

(I) BEFORE THE HEARING DATE IN COURT, A PARTY APPLIES FOR LEAVE TO OFFER ADDITIONAL EVIDENCE; AND

(II) THE COURT IS SATISFIED THAT:

1. THE EVIDENCE IS MATERIAL; AND

2. THERE WERE GOOD REASONS FOR THE FAILURE TO OFFER THE EVIDENCE IN THE PROCEEDING BEFORE THE AGENCY.

(2) ON THE BASIS OF THE ADDITIONAL EVIDENCE, THE AGENCY MAY MODIFY THE FINDINGS AND DECISION.

(3) THE AGENCY SHALL FILE WITH THE REVIEWING COURT, AS PART OF THE RECORD: