

(I) AN ADJUDICATION, STIPULATION, OR ACCEPTANCE OF LIABILITY OF THE BUSINESS;

(II) A DETERMINATION OF NONCOMPLIANCE, VIOLATION, INFRINGEMENT, DEFICIENCY, OR BREACH ON THE PART OF THE BUSINESS; OR

(III) A SETTLEMENT AGREEMENT UNDER WHICH THE BUSINESS AGREES TO TAKE CORRECTIVE ACTION OR TO PAY A MONETARY SUM.

(D) CLAIM REQUIRED IN CONTESTED CASE.

(1) TO QUALIFY FOR AN AWARD UNDER THIS SECTION WHEN THE AGENCY HAS INITIATED A CONTESTED CASE, THE BUSINESS MUST MAKE A CLAIM TO THE AGENCY BEFORE TAKING ANY APPEAL.

(2) THE AGENCY SHALL ACT ON THE CLAIM.

(E) AMOUNT.

(1) AN AWARD UNDER THIS SECTION MAY INCLUDE:

(I) THE EXPENSES INCURRED IN THE CONTESTED CASE;

(II) COURT COSTS;

(III) COUNSEL FEES; AND

(IV) THE FEES OF NECESSARY WITNESSES.

(2) AN AWARD UNDER THIS SECTION MAY NOT EXCEED \$10,000.

(3) THE COURT MAY REDUCE OR DENY AN AWARD TO THE EXTENT THAT THE CONDUCT OF THE BUSINESS DURING THE PROCEEDINGS UNREASONABLY DELAYED THE RESOLUTION OF THE MATTER IN CONTROVERSY.

(F) SOURCE OF AWARD.

AN AWARD UNDER THIS SECTION SHALL BE PAID AS PROVIDED IN THE STATE BUDGET.

(G) APPEALS.

(1) IF THE AGENCY DENIES AN AWARD UNDER THIS SECTION, THE BUSINESS MAY APPEAL, AS PROVIDED IN THIS SUBTITLE.

(2) AN AGENCY MAY APPEAL AN AWARD THAT A COURT MAKES UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, §§ 244(b) and 255A(a)(2) through (f).