

IN ADDITION TO THE GROUNDS IN SUBSECTION (A) OF THIS SECTION, THE COMMISSIONER MAY REPRIMAND A LICENSEE OR SUSPEND OR REVOKE A LICENSE IF THE LICENSEE VIOLATES THIS TITLE.

(D) PENALTY INSTEAD OF REVOCATION OR SUSPENSION.

INSTEAD OF REVOKING OR SUSPENDING A LICENSE, THE COMMISSIONER MAY IMPOSE A PENALTY OF NOT LESS THAN \$25 AND NOT MORE THAN \$500.

REVISOR'S NOTE: The introductory language of subsection (a) of this section is new language derived without substantive change from the second clause of the fourth sentence of former Art. 56, § 163(b), the introductory language of § 167, as it related to an employee or agent of an employment agency, and the second sentence of § 169(a), as it related to revoking or suspending an employment counselor license.

Subsection (a)(1) of this section is new language derived without substantive change from former Art. 56, § 167(a), (b), (c), (d), (e), except the sentence that related to reimbursement of applicants, (f), (g), except as it related to adopting regulations, (h), (i), and (j).

Subsection (a)(2) and (3) of this section is standard language added 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 addition is supported by the reference, in former Art. 56, § 167(j), to engaging in conduct that constitutes fraud or dishonest dealing.

Subsection (b) of this section is new language derived without substantive change from the first clause of the fourth sentence of § 163(b).

Subsection (c) of this section is new language derived without substantive change from the second sentence of § 169(a), as it related to an employment counselor violating any provisions of the former subtitle.

Subsection (d) of this section is new language derived without substantive change from former Art. 56, § 169(c), as it related to an employment counselor license.

In the introductory language of subsection (a) of this section, the power to "reprimand a licensee" is added to state specifically a power that is inherent in the express power to suspend or revoke a license. This addition conforms to the practice of the Commissioner.

Defined terms: "Commissioner" § 9-101

"License" § 9-401

"Licensed employment agency" § 9-101

"Person" § 1-101