

(3) FAILS TO COMPLY WITH THE MARYLAND CIGARETTE SALES BELOW COST ACT AND REGULATIONS ADOPTED UNDER IT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 631(h).

The Maryland Cigarette Sales Below Cost Act is Title 11, Subtitle 5 of the Commercial Law Article.

Defined terms: "Comptroller" § 1-101

"County license" § 16-101

"Person" § 1-101

16-307. SAME — HEARINGS.

(A) RIGHT TO HEARING.

EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 4 OF THE STATE GOVERNMENT ARTICLE, BEFORE THE COMPTROLLER TAKES ANY FINAL ACTION UNDER § 16-306 OF THIS SUBTITLE, THE COMPTROLLER SHALL GIVE THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR A HEARING BEFORE THE COMPTROLLER.

(B) APPLICATION OF CONTESTED CASE PROVISIONS.

THE COMPTROLLER SHALL GIVE NOTICE AND HOLD THE HEARING IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

(C) OATHS.

THE COMPTROLLER MAY ADMINISTER OATHS IN A PROCEEDING UNDER THIS SECTION.

(D) RIGHT TO COUNSEL.

THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED MAY BE REPRESENTED AT THE HEARING BY COUNSEL.

(E) FAILURE TO APPEAR.

IF, AFTER DUE NOTICE, THE PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED DOES NOT APPEAR, NEVERTHELESS THE COMPTROLLER MAY HEAR AND DETERMINE THE MATTER.

REVISOR'S NOTE: Subsections (a), (b), (c), and (d) of this section are new language derived without substantive change from former Art. 56, § 631(i).

Subsection (e) of this section is new language added to clarify that, after an accused person has been given proper notice, the Comptroller may proceed with a hearing even if the person does not appear.