

Approved May 27, 1993.

CHAPTER 632

(Senate Bill 196)

AN ACT concerning

Trade Regulation – Antitrust – Investigations and Civil Remedies

FOR the purpose of authorizing the Attorney General to conduct investigations of violations of the Maryland Antitrust Act through the use of written interrogatories and sworn depositions; authorizing the Attorney General to seek certain equitable remedies to remove the effects of violations of the Maryland Antitrust Act; establishing a civil penalty to be paid to the State general fund for certain violations; ~~authorizing the Attorney General to bring certain actions on behalf of persons residing in the State and establishing certain procedures for such actions;~~ providing for suspension of the civil statute of limitations during the pendency of certain criminal proceedings; making stylistic changes; and generally relating to antitrust proceedings.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 11-205 and 11-209

Annotated Code of Maryland

(1990 Replacement Volume and 1992 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Commercial Law

11-205.

(a) Except as provided in subsection (i) OF THIS SECTION, if the Attorney General believes that a person may be in possession, custody, or control of any [original or copy of any book, record, report, memorandum, paper, communication, tabulation, map, chart, photograph, mechanical transcription, or other tangible document or recording,] DOCUMENTARY MATERIAL, wherever situated, OR MAY HAVE ANY INFORMATION which [he] THE ATTORNEY GENERAL believes is relevant to the subject matter of an investigation of a possible violation of this subtitle, [he] THE ATTORNEY GENERAL may serve on the person before institution of a civil proceeding for the violation a written civil investigative demand which requires [him] THAT PERSON to produce the documentary material and permit inspection and copying, TO ANSWER IN WRITING WRITTEN INTERROGATORIES, TO GIVE ORAL TESTIMONY CONCERNING DOCUMENTARY MATERIAL OR INFORMATION, OR TO FURNISH ANY COMBINATION OF SUCH MATERIAL, ANSWERS, OR TESTIMONY.

(b) (1) The demand of the Attorney General shall [: