

obedience to the subpoena of the Commissioner or any officer designated by him, or in any proceeding instituted by the Commissioner, on the ground that the testimony or evidence (documentary or otherwise) required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after claiming his privilege against self-incrimination, to testify or produce evidence (documentary or otherwise), except that the individual testifying is not exempt from prosecution and punishment for perjury or contempt committed in testifying.

§ 32. Injunctions.

Whenever it appears to the Commissioner that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this act or any rule or order hereunder, he may in his discretion bring an action in the circuit court of the City or county in which such person resides or transacts business to enjoin the acts or practices and to enforce compliance with this act or any rule or order hereunder. Upon a proper showing a permanent or temporary injunction or restraining order shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. The court may not require the Commissioner to post a bond.

§ 33. Criminal Penalties.

(a) Any person who willfully violates any provision of this act except section 28, or who willfully violates any rule or order under this act, or who willfully violates section 28 knowing the statement made to be false or misleading in any material respect, shall upon conviction be fined not more than \$5,000 or imprisoned, in the penitentiary or such other legal place of confinement as the court may determine, not more than three years, or both; but no person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order. No indictment or information may be returned under this act more than five years after the alleged violation.

(b) The Commissioner may refer such evidence as is available concerning violations of this act or of any rule or order hereunder to the State's Attorney who may, with or without such a reference, institute the appropriate criminal proceedings under this act.

(c) Nothing in this act limits the power of the state to punish any person for any conduct which constitutes a crime by statute or at common law.

§ 34. Civil Liabilities.

(a) Any person who

(1) offers or sells a security in violation of section 15(a), 19, or 29(b), or of any rule or order under section 27 which requires the affirmative approval of sales literature before it is used, or

(2) offers or sells a security by means of any untrue statement of a material fact or any omission to state a material fact necessary