

SUBPOENA THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF DOCUMENTARY EVIDENCE RELATING TO ANY MATTER UNDER INVESTIGATION OR THE SUBJECT OF ANY HEARING. THE CIRCUIT COURT OF ANY COUNTY MAY COMPEL OBEDIENCE TO ANY SUBPOENA. AFTER CLAIMING A PRIVILEGE AGAINST SELF-INCRIMINATION, NO INDIVIDUAL MAY BE PROSECUTED OR SUBJECTED TO ANY PENALTY OR FORFEITURE FOR ANY MATTER CONCERNING WHICH HE MAY BE COMPELLED TO TESTIFY OR PRODUCE EVIDENCE IN OBEEDIENCE TO A DEPARTMENT SUBPOENA, EXCEPT FOR PERJURY COMMITTED IN TESTIFYING.

Revisor's Note: This section presently appears as Art. 66C, §470V(b) of the Code. The first phrase is proposed for deletion because any action the Secretary takes pursuant to this subtitle is to carry out the legislative intent expressed in §4-102. The present reference to "natural person" is proposed for deletion and "individual", a synonym, is added for style purposes. The present reference to "Circuit Courts of Baltimore City" is proposed for deletion because under Art. 1, §14 and §1-101(b), a reference to "ccounty" includes Baltimore City. The only other changes made are in style.

SEC. 4-127. RESPONSIBILITY OF BUSINESS UNIT FOR ACTS OF AGENT OR EMPLOYEE.

UNLESS OTHERWISE PROVIDED, WHEN CONSTRUING OR ENFORCING ANY PROVISION OF THIS SUBTITLE, EVERY ACT, OMISSION, OR FAILURE OF ANY PERSON ACTING WITHIN THE SCOPE OF HIS EMPLOYMENT OR OFFICE AND ACTING FOR OR EMPLOYED BY ANOTHER PERSON IS THE ACT, OMISSION, OR FAILURE OF THAT PERSON AS WELL AS OF THE PERSON COMMITTING THE ACT.

Revisor's Note: This section presently appears as Art. 66C, §470P of the Code. New language is added to indicate that the construction demanded by this section prevails throughout the subtitle unless another section provides otherwise. The present reference to "individual, partnership, corporation, association, or other business unit" is proposed for deletion in light of the definition of "person" set forth in §1-101(f). The only other changes made are in style.