

GENERALLY.

THE COMMISSION ON JUDICIAL DISABILITIES ESTABLISHED PURSUANT TO ARTICLE IV, §4A OF THE CONSTITUTION, MAY ADMINISTER OATHS AND AFFIRMATIONS, SUBPOENA ANY WITNESS, COMPEL HIS ATTENDANCE, TAKE EVIDENCE AND REQUIRE THE PRODUCTION OF ANY BOOK, PAPER, CORRESPONDENCE, MEMORANDUM, CONTRACT, AGREEMENT, OTHER RECORD, OR TANGIBLE THING WHICH THE COMMISSION FINDS RELEVANT OR MATERIAL TO AN INQUIRY OR PROCEEDING BEFORE IT. AN OATH OR AFFIRMATION MAY BE ADMINISTERED, AND A SUBPOENA ISSUED BY, ANY MEMBER OF THE COMMISSION.

SEC. 13-402. REFUSAL TO OBEY SUBPOENA ISSUED BY COMMISSION.

IN CASE OF CONTUMACY BY ANY PERSON, OR REFUSAL TO OBEY A SUBPOENA ISSUED TO ANY PERSON BY THE COMMISSION, THE COMMISSION MAY INVOKE THE AID OF THE CIRCUIT COURT FOR THE COUNTY OR OF THE SUPERIOR COURT OF BALTIMORE CITY WHERE THE PERSON RESIDES OR CARRIES ON BUSINESS OR IS FOUND. THE COURT MAY ISSUE AN ORDER REQUIRING THE PERSON TO APPEAR BEFORE THE COMMISSION, AND THERE TO PRODUCE RECORDS, IF SO ORDERED. FAILURE TO OBEY AN ORDER OF THE COURT MAY BE PUNISHED BY THE COURT AS A CONTEMPT. PROCESS IN ANY CASE MAY BE SERVED WHEREVER THE PERSON IS FOUND.

SEC. 13-403. IMMUNITY FROM PROSECUTION.

THE COMMISSION MAY GRANT TO ANY PERSON IMMUNITY FROM PROSECUTION, OR FROM ANY PENALTY OR FORFEITURE, FOR OR ON ACCOUNT OF ANY TRANSACTION, MATTER OR THING CONCERNING WHICH THAT PERSON TESTIFIES OR PRODUCES EVIDENCE, DOCUMENTARY OR OTHERWISE.

REVISOR'S NOTE: Sections 13-401 through 13-403 presently appear as Art. 40, §45, which was adopted prior to the 1970 constitutional amendment vesting final enforcement power to the Court of Appeals instead of the General Assembly. All references to the General Assembly are proposed for deletion.

Subsection (a) merely enlarges upon language of Art. IV, §4B(a) of the Constitution, but its additional details may be useful. The same is true of subsection (c).

Paragraph 5 of §45 is proposed for deletion