

(C) OATHS; RECORDS.

AT THE HEARING:

(1) ANY MEMBER OF THE BOARD OF COMMISSIONERS MAY ADMINISTER AN OATH; AND

(2) THE BOARD OF COMMISSIONERS SHALL MAKE A RECORD OF ALL TESTIMONY AND PROCEEDINGS.

(D) IMMUNITY.

(1) A PERSON SUMMONED TO TESTIFY OR PRODUCE RECORDS AT A HEARING MAY NOT REFUSE TO DO SO ON THE GROUNDS OF A CONSTITUTIONAL RIGHT OR PRIVILEGE AGAINST SELF-INCRIMINATION. HOWEVER, IF THE BOARD OF COMMISSIONERS ORDERS THE PERSON TO TESTIFY OR PRODUCE THE RECORDS AFTER THE PERSON HAS ASSERTED THIS RIGHT OR PRIVILEGE, THE PERSON MAY NOT BE PROSECUTED OR SUBJECTED TO ANY PENALTY BECAUSE OF ANY ACT, TRANSACTION, MATTER, OR THING CONCERNING WHICH THE PERSON TESTIFIED OR PRODUCED RECORDS UNDER THE ORDER OF THE BOARD OF COMMISSIONERS.

(2) THIS SUBSECTION DOES NOT EXEMPT A PERSON FROM PROSECUTION OR PUNISHMENT FOR PERJURY IN THAT PERSON'S TESTIMONY AT A HEARING OF THE BOARD OF COMMISSIONERS.

(E) FAILURE TO COMPLY.

(1) IF, WITHOUT REASONABLE CAUSE, ANY PERSON FAILS TO OBEY ANY SUBPOENA ISSUED UNDER THIS SECTION OR, AT THE HEARING, REFUSES TO BE SWORN OR OBEY AN ORDER TO GIVE OR PRODUCE EVIDENCE REQUIRED BY SUBPOENA, THE BOARD OF COMMISSIONERS MAY COMMENCE AND, AT THE REQUEST OF ANY PARTY, SHALL COMMENCE CONTEMPT PROCEEDINGS IN A COURT OF THE SUPREME BENCH OF BALTIMORE CITY OR THE CIRCUIT COURT OF ANY COUNTY.

(2) THE PETITION IN ANY PROCEEDING INITIATED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) INCLUDE AN AFFIDAVIT OF THE FACTS; AND

(II) REQUEST A SHOW CAUSE ORDER RETURNABLE IN NOT MORE THAN 5 DAYS.

(3) IF THE COURT FINDS THAT WITHOUT REASONABLE CAUSE A PERSON HAS FAILED TO OBEY A SUBPOENA TO APPEAR, BE SWORN, ANSWER A QUESTION, OR PRODUCE RECORDS, THE COURT MAY FIND THE PERSON IN CONTEMPT AND PUNISH THE PERSON AS FOR CONTEMPT OF COURT.

REVISOR'S NOTE: This section is new language derived without substantive change from the second and third sentences of Art. 23, § 161H(c) and the second sentence of § 161E(e) (1) and from Art. 23,