

required of him may tend to incriminate him or subject him to a penalty or forfeiture. However, an individual may not be prosecuted or subjected to any penalty or forfeiture for or on account of any [transaction, matter, or thing] SPECIFIC SUBJECT concerning which he is compelled, after claiming his privilege against self-incrimination AS TO THAT SPECIFIC SUBJECT, 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.

~~11-702-~~

~~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 title or any rule or order under this title, he may in his discretion bring an action in the APPROPRIATE circuit court of the county in which the person resides or transacts business to enjoin the acts or practices and to enforce compliance with this title or any rule or order under this title. On 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.~~

~~11-705-~~

~~(a)-(1)-Any person who willfully violates any provision of this title, except §§ 11-303 or 11-904 (1) of this title or who willfully violates any rule or order under this title, or who willfully violates §§ 11-303 or 11-904 (1) of this title knowing the statement made to be false or misleading in any material respect, IS GUILTY OF A FELONY AND on conviction is subject to a fine not exceeding \$5,000 or imprisonment not exceeding three years or both,~~

~~(D)--IN ANY PROCEEDING UNDER THIS TITLE, SCIENTER--NEED NOT BE ALLEGED AND PROVED IN PROSECUTIONS INVOLVING THE SALE OF UNREGISTERED SECURITIES OR INVOLVING THE FAILURE TO REGISTER AS A BROKER DEALER OR AGENT UNDER THIS TITLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

Approved May 19, 1981.

CHAPTER 776

(House Bill 1310)

AN ACT concerning