

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40, §§ 74(b) and 75.

Subsection (a)(2)(ii) of this section is revised to refer only to a "resolution" that establishes an investigating committee, to conform to § 2-1603(a) of this subtitle.

Defined terms: "Hearing" § 2-1601
"Includes"; "including" § 1-101
"Investigating committee" § 2-1601

2-1608. SUBPOENAS.

(A) AUTHORITY.

(1) BY A MAJORITY VOTE OF ALL OF THE MEMBERS OF AN INVESTIGATING COMMITTEE, THE INVESTIGATING COMMITTEE MAY ISSUE A SUBPOENA THAT REQUIRES THE APPEARANCE OF A PERSON, THE PRODUCTION OF RELEVANT RECORDS, AND THE GIVING OF RELEVANT TESTIMONY.

(2) A REQUEST TO APPEAR, APPEARANCE, OR SUBMISSION OF EVIDENCE DOES NOT LIMIT THE SUBPOENA POWER OF THE INVESTIGATING COMMITTEE.

(B) SERVICE.

THE SUBPOENA SHALL BE SERVED:

(1) IN THE MANNER PROVIDED BY LAW FOR SERVICE OF A SUBPOENA IN A CIVIL ACTION;

(2) AT LEAST 7 DAYS BEFORE THE TIME THAT THE SUBPOENA SETS FOR APPEARANCE OR PRODUCTION OF RECORDS; AND

(3) WITH THE FOLLOWING DOCUMENTS:

(I) A COPY OF THE RESOLUTION THAT ESTABLISHES THE INVESTIGATING COMMITTEE;

(II) A COPY OF THE RULES OF THE INVESTIGATING COMMITTEE;

(III) A STATEMENT OF THE SUBJECT OF THE INVESTIGATION OR INQUIRY OF THE INVESTIGATING COMMITTEE; AND

(IV) IF THE SUBPOENA REQUIRES THE APPEARANCE OF A PERSON, NOTICE THAT COUNSEL MAY ACCOMPANY THE PERSON.

(C) FEES.

A PERSON WHO IS SUBPOENAED TO APPEAR AT A HEARING IS ENTITLED TO RECEIVE THE FEES AND ALLOWANCES THAT ARE PROVIDED FOR A PERSON WHO IS SUBPOENAED BY A CIRCUIT COURT.