

(D) CONTEMPT; DEFENSE.

(1) A PERSON MAY BE HELD IN CONTEMPT IF THE PERSON UNJUSTIFIABLY:

(I) FAILS OR REFUSES TO COMPLY WITH A SUBPOENA FOR APPEARANCE;

(II) APPEARS BUT FAILS OR REFUSES TO TESTIFY UNDER OATH; OR

(III) UNLESS THE DIRECTIVE IS OVERRULED BY A MAJORITY VOTE OF THE MEMBERS OF THE INVESTIGATING COMMITTEE WHO ARE PRESENT AT THE HEARING, DISOBEYS A DIRECTIVE OF THE PRESIDING OFFICER AT THE HEARING TO ANSWER A RELEVANT QUESTION OR TO PRODUCE A RELEVANT BOOK, DOCUMENT, OR PAPER THAT HAS BEEN SUBPOENAED.

(2) IF AN INVESTIGATING COMMITTEE FAILS, IN ANY MATERIAL RESPECT, TO MEET THE REQUIREMENTS OF THIS SUBTITLE AND THE PERSON WHO IS SUBPOENAED IS PREJUDICED BY THE FAILURE:

(I) THE PERSON NEED NOT COMPLY; AND

(II) THE FAILURE IS A COMPLETE DEFENSE IN A PROCEEDING AGAINST THE PERSON FOR CONTEMPT OR OTHER PUNISHMENT.

(E) CONTEMPT CITATION.

(1) BY A MAJORITY VOTE OF ALL OF THE MEMBERS OF AN INVESTIGATING COMMITTEE, THE INVESTIGATING COMMITTEE MAY APPLY FOR A CONTEMPT CITATION:

(I) WHEN THE GENERAL ASSEMBLY IS NOT IN SESSION, TO A CIRCUIT COURT; AND

(II) WHEN THE GENERAL ASSEMBLY IS IN SESSION:

1. TO THE GENERAL ASSEMBLY;

2. TO THE SENATE, IF THE SENATE ESTABLISHED THE INVESTIGATING COMMITTEE; OR

3. TO THE HOUSE, IF THE HOUSE ESTABLISHED THE INVESTIGATING COMMITTEE.

(2) THE GENERAL ASSEMBLY, THE SENATE, OR THE HOUSE:

(I) MAY CONSIDER THE APPLICATION AS THOUGH THE ALLEGED CONTEMPT HAD BEEN COMMITTED IN OR AGAINST THAT BODY; AND

(II) IN ADDITION TO ANY PENALTY THAT A COURT IMPOSES, MAY IMPOSE ANY OTHER PUNISHMENT THAT THE BODY HAS THE INHERENT POWER TO IMPOSE.