

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40, § 79, § 80, § 85(a)1. and (b), § 86(a) and (b), the second sentence of § 83(d), and the second sentence of § 84(b).

In subsection (a)(1) of this section, the former, specific reference to "subpoenas duces tecum" is deleted as unnecessary in light of the broad reference to a subpoena "that requires ... the production of relevant records".

In subsection (b)(3)(i) of this section, the former reference to the "law" establishing the investigating committee is deleted in light of § 2-1603(a) of this subtitle, which permits establishment only by resolution.

In subsection (c) of this section, reference to a "circuit court" is substituted for the former phrase "court of record", since the District Court also is a court of record, but does not allow fees.

In the introductory language of subsection (d)(1) of this section, the reference "may be held in contempt" is substituted for the language, in former Art. 40, § 85, "shall be in contempt". Also the word "unjustifiably" is added. The substitution and addition reflect that, e.g., Constitutional rights may protect a refusal to answer a question. The substitution and addition also conform to subsections (d)(2) and (e) of this section and the reference, in former Art. 40, § 83(d), to "disobedience shall constitute grounds for citation for contempt".

In subsection (d)(1)(ii) of this section, the former reference to an "affirmation" is deleted as unnecessary in light of Art. 1, § 9 of the Code, which authorizes an affirmation to be made in place of an oath.

In subsection (e)(1)(i) of this section, the clause "when the General Assembly is not in session" is substituted for the former reference "[i]f the investigating committee is an interim committee", for clarity.

Former Art. 40, § 85(a)2., which provided that a person be in contempt for failing to answer a question or to produce a subpoenaed document, is deleted as unnecessary in light of subsection (d)(1)(iii) of this section, which provides the same grounds for a contempt citation but requires a directive from the presiding officer.