

DRAFTER'S NOTE: This corrects a stylistic error in a cross-reference in Article 40A, § 2-103(h)(1).

The stylistic error occurred in Ch. 796 of the Acts of 1981.

The stylistic error was noted by the Michie Company.

2-105.

(d) (4) If the complaint is not dismissed pursuant to [subsection (2) or (3)] PARAGRAPH (2) OR PARAGRAPH (3) OF THIS SUBSECTION, it shall hold a hearing on the complaint. In preparation for the hearing, the respondent may use the subpoena power of the Commission.

(12) If the Commission, in the course of considering a complaint subject to [(d)] THIS SUBSECTION, finds that there are reasonable grounds to believe that the respondent may have committed a criminal offense, the matter shall be referred promptly to an appropriate prosecuting authority. The Commission shall make available to the prosecuting authority all pertinent evidence under its control.

DRAFTER'S NOTE: This corrects stylistic errors in internal references in Article 40A, 2-105(d)(4) and (12).

The stylistic errors occurred in Ch. 513 of the Acts of 1979.

The stylistic errors were noted by the Michie Company.

3-103.

(a) (3) In extraordinary situations, as consistently as possible under similar facts and circumstances and subject to other provisions of law, including Title 3 of this article, the Commission may exempt a public official or employee from the prohibition of [subparagraph (a)(1)] PARAGRAPH (1) OF THIS SUBSECTION if the Commission, based upon the recommendation of the Governor upon request of the executive agency involved, concludes that:

(i) Failure to grant the exemption would reduce the ability of the State to:

1. Recruit and hire highly or uniquely qualified professional individuals for public service; or
2. Assure the availability of competent services to the public.