

~~(I)--[with] WITH the Secretary of Personnel; OR~~

~~(II)--IN A CIRCUIT COURT IN THE COUNTY OF THE
COMPLAINANT'S PLACE OF EMPLOYMENT.~~

~~(2)--[The] IF A COMPLAINT IS FILED WITH THE SECRETARY,~~
THE WITH THE SECRETARY OF PERSONNEL. THE Secretary shall notify
the appointing authority of the complaint and shall provide an
opportunity for the authority to respond to the complaint in
writing.

~~(3)-~~ A complaint alleging a violation of this
subtitle shall be filed with the Secretary within 1 year after
the date the employee first knew, or should have known, of the
violation.

(c) (1) Except when the complaint is filed against the
Department of Personnel, the Secretary shall investigate all
complaints filed pursuant to subsection (b) of this section.
When the complaint is filed against the Department of Personnel,
a designee appointed by the Governor shall investigate complaints
filed under subsection (b) of this section. The Secretary shall
promptly send a copy of a complaint to any person named in the
complaint as having violated this subtitle.

(2) If the Secretary, or Governor's designee, in the
course of investigating a complaint, finds that there are
reasonable grounds to believe that a criminal offense has been
committed, the matter shall be referred promptly to an
appropriate prosecuting authority. The Secretary, or Governor's
designee shall make available to the prosecuting authority all
pertinent evidence under his control.

(3) Whenever the Secretary, or Governor's designee,
refers any evidence of criminal conduct, he shall notify the
individual alleged to have engaged in the conduct. This notice
shall contain:

- (i) A statement of the allegation;
- (ii) Notice of the right to obtain legal
representation;
- (iii) Notice of the right to refuse to respond
if a response might tend to be incriminating; and
- (iv) Notice that the matter has been referred
to a prosecutorial agency.

(d) (1) Upon completion of the investigation, the
Secretary, or Governor's designee, shall determine whether a
violation of § 12G has occurred.