

appeals to the "circuit court for the county where any party resides or has a principal place of business". The General Assembly may wish to consider whether this distinction should be retained.

Also in subsection (g)(1) of this section, the former reference to the "judicial review standards of the Administrative Procedure Act" is deleted as unnecessary in light of the specific reference to the governing provisions — i.e., §§ 10-215 and 10-216 of the State Government Article.

The State Personnel Article Review Committee notes, for consideration by the General Assembly, that the examples of relief listed in former Art. 64A, § 12-I(b)(3), revised as subsection (f) of this section, are different than those listed in former Art. 64A, § 12H(d)(3), revised as § 3-307(c) of this section. For example, § 3-307(c) specifically allows removing detrimental information from a complainant's personnel record, hiring, reinstating, and ending suspension of a complainant and taking disciplinary action against the individual who caused the violation. Those remedies are not specified in subsection (f) of this section. Conversely, subsection (f) specifies granting leave and seniority to a complainant, while § 3-307(c) does not. The General Assembly may wish to conform these provisions.

Defined terms: "Appointing authority" § 1-101

"County" § 1-101

"Secretary" § 1-101

3-309. REFERRAL OF SUSPECTED CRIMINAL CONDUCT.

IF, DURING AN INVESTIGATION UNDER § 3-306 OF THIS SUBTITLE, THE SECRETARY OR THE GOVERNOR'S DESIGNEE FINDS THAT REASONABLE GROUNDS EXIST TO BELIEVE THAT A CRIME HAS BEEN COMMITTED, THE SECRETARY OR THE GOVERNOR'S DESIGNEE SHALL:

- (1) PROMPTLY REFER THE MATTER TO AN APPROPRIATE PROSECUTOR;
 - (2) MAKE ALL PERTINENT EVIDENCE AVAILABLE TO THE PROSECUTOR;
- AND
- (3) SEND TO THE INDIVIDUAL BELIEVED TO HAVE COMMITTED THE CRIME A NOTICE THAT:
 - (I) CONTAINS A STATEMENT OF THE ALLEGATION;
 - (II) NOTIFIES THE INDIVIDUAL THAT THE MATTER HAS BEEN REFERRED TO A PROSECUTOR;
 - (III) ADVISES THE INDIVIDUAL OF THE INDIVIDUAL'S RIGHT TO OBTAIN COUNSEL; AND
 - (IV) ADVISES THE INDIVIDUAL OF THE INDIVIDUAL'S RIGHT TO REFUSE TO RESPOND TO THE ALLEGATION, IF A RESPONSE MIGHT BE INCRIMINATING.