

THE ETHICS COMMISSION SHALL MAKE AVAILABLE TO THE PROSECUTING AUTHORITY ALL PERTINENT EVIDENCE UNDER ITS CONTROL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40A, § 2-105(d)(13).

Defined terms: "Ethics Commission" § 15-102
"Respondent" § 15-102

15-409. RETENTION OF DOCUMENTS BY PERSONS SUBJECT TO TITLE.

(A) IN GENERAL.

AN ENTITY THAT IS REQUIRED TO FILE A REPORT, STATEMENT, OR RECORD UNDER THIS TITLE SHALL OBTAIN EACH ACCOUNT, BILL, RECEIPT, BOOK, PAPER, OR OTHER DOCUMENT NECESSARY TO COMPLETE AND SUBSTANTIATE THE REPORT OR STATEMENT.

(B) PERIOD OF RETENTION.

THE ENTITY SHALL RETAIN THE DOCUMENT FOR 3 YEARS AFTER:

- (1) THE DATE THE REPORT, STATEMENT, OR RECORD WAS FILED; OR
- (2) IF THE REPORT, STATEMENT, OR RECORD IS NOT FILED, THE DATE THE REPORT, STATEMENT, OR RECORD WAS REQUIRED TO BE FILED.

(C) INSPECTION BY ETHICS COMMISSION.

ON REQUEST BY THE ETHICS COMMISSION, AND AFTER REASONABLE NOTICE, THE DOCUMENTS SHALL BE AVAILABLE FOR INSPECTION BY THE ETHICS COMMISSION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40A, § 7-104.

In subsections (a) and (b) of this section, the references to "records" are retained, although it is unclear what documents other than "reports" and "statements" are covered by the word "records".

Subsection (b)(2) of this section is new language added to clarify that the records retention requirements apply even if a report or statement required by law was never filed.

Defined terms: "Ethics Commission" § 15-102
"Person" § 1-101