

individuals” is substituted for the former phrase “person or persons” because only an individual and not the other entities that may be included in the term “person” under Art. 1, § 15 of the Code may be nominated for the office of State Prosecutor.

9-1213. REPRIMAND OR REMOVAL FROM OFFICE.

(A) AUTHORITY FOR COMMISSION TO REPRIMAND OR RECOMMEND REMOVAL.

THE COMMISSION MAY REPRIMAND OR RECOMMEND TO THE GOVERNOR THE REMOVAL FROM OFFICE OF THE STATE PROSECUTOR IF AFTER A HEARING, IT FINDS THAT THE STATE PROSECUTOR IS GUILTY OF MISCONDUCT IN OFFICE, PERSISTENT FAILURE TO PERFORM THE DUTIES OF THE OFFICE, OR CONDUCT PREJUDICIAL TO THE PROPER ADMINISTRATION OF JUSTICE.

(B) CONFIDENTIALITY AND PRIVILEGE.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE PROCEEDINGS, TESTIMONY, AND OTHER EVIDENCE BEFORE THE COMMISSION ARE CONFIDENTIAL AND PRIVILEGED.

(2) THE COMMISSION, UPON TAKING FINAL ACTION IN THE MATTER, MAY MAKE ITS ORDER AND THE PROCEEDINGS, TESTIMONY, AND OTHER EVIDENCE PUBLIC.

(C) PROCESS.

(1) ON COMPLAINT OR ON ITS OWN MOTION, THE COMMISSION MAY INVESTIGATE ALLEGATIONS MADE AGAINST THE STATE PROSECUTOR WHICH, IF TRUE, MAY WARRANT REMOVAL OR DISCIPLINE.

(2) THE COMMISSION MAY CONDUCT HEARINGS, ADMINISTER OATHS AND AFFIRMATIONS, ISSUE PROCESS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF EVIDENCE, AND REQUIRE PERSONS TO TESTIFY AND PRODUCE EVIDENCE BY GRANTING THEM IMMUNITY FROM PROSECUTION, PENALTY, OR FORFEITURE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 10, § 33F.

In subsection (c) of this section, the word “may” is substituted for the former phrase “is empowered” to conform to the style of the revised articles of the Code.

SUBTITLE 17. MARYLAND STATE EMPLOYEES SURETY BOND COMMITTEE.

9-1701. “COMMITTEE” DEFINED.

IN THIS SUBTITLE, “COMMITTEE” MEANS THE MARYLAND STATE EMPLOYEES SURETY BOND COMMITTEE.