

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 78A, § 2A.

Article - State Government

3-307. COMPLAINTS AGAINST CIVIL OR MILITARY OFFICERS.

(A) GOVERNOR'S AUTHORITY — INVESTIGATION OF COMPLAINT.

ON THE FILING OF A COMPLAINT AGAINST A CIVIL OR MILITARY OFFICER WHO MAY BE SUSPENDED OR REMOVED FROM OFFICE BY THE GOVERNOR, THE GOVERNOR:

(1) SHALL PROVIDE TO THE RESPONDENT:

(I) A COPY OF THE COMPLAINT; AND

(II) NOTICE OF THE TIME WHEN THE GOVERNOR SHALL HEAR THE COMPLAINT;

(2) MAY SUMMON ANY WITNESS TO TESTIFY CONCERNING THE COMPLAINT, PAY THE WITNESS A FEE OF \$1 A DAY FOR ATTENDING, AND REIMBURSE THE WITNESS FOR TRAVEL EXPENSES INCURRED IN TESTIFYING;

(3) MAY DESIGNATE ONE OR MORE INDIVIDUALS TO ATTEND ON THE GOVERNOR'S BEHALF ANY PART OF ANY HEARING THAT RELATES TO THE ESTABLISHMENT OF THE FACTS OF THE COMPLAINT; AND

(4) MAY ORDER EITHER PARTY OR THE STATE TO PAY ANY COSTS OF THE PROCEEDING.

(B) SAME — ENFORCEMENT OF ORDERS.

THE GOVERNOR, IN THE SAME MANNER AS A COURT OF THE STATE, MAY ENFORCE:

(1) THE ATTENDANCE OF A WITNESS SUMMONED UNDER SUBSECTION (A)(2) OF THIS SECTION; OR

(2) AN ORDER UNDER SUBSECTION (A)(4) OF THIS SECTION FOR PAYMENT OF COSTS BY A PARTY OR THE STATE.

(C) PAYMENT OF COSTS BY STATE.

IF THE STATE IS ORDERED TO PAY COSTS UNDER SUBSECTION (A)(4) OF THIS SECTION, THE COMPTROLLER SHALL ISSUE A WARRANT TO THE TREASURER TO PAY THE COSTS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, §§ 2-501 through 2-504.

In the introductory language of subsection (a) of this section, the reference to the "filing of a complaint" is substituted for the former phrase "[u]pon complaint made" for clarity and in light of the former reference to a "copy of the complaint".