

Former Art. 56, § 157N, which provided that a false statement in a required statement under oath makes a person guilty of perjury, is deleted as surplusage.

1-202. FALSE SWEARING.

A FALSE STATEMENT MADE UNDER OATH UNDER THIS ARTICLE IS SUBJECT TO THE PENALTIES OF PERJURY.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of former Art. 56, § 110, as it related to false swearing, and the second sentence of Art. 78B, § 11(e). Although these former provisions were only found in 2 of the statutes revised in this article, the Business Regulation Article Review Committee felt the provision should apply throughout the article.

1-203. FAILURE TO COMPLY WITH SUBPOENA; REFUSAL TO BE SWORN OR TO GIVE EVIDENCE.

(A) FAILURE TO COMPLY WITH SUBPOENA.

IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS ARTICLE, THEN, ON COMPLAINT FILED BY THE ISSUING AUTHORITY, A COURT OF COMPETENT JURISDICTION MAY ORDER COMPLIANCE WITH THE SUBPOENA.

(B) REFUSAL TO BE SWORN OR TO GIVE EVIDENCE.

IF A PERSON REFUSES TO BE SWORN OR TO GIVE EVIDENCE BEFORE AN OFFICER OR UNIT AUTHORIZED BY THIS ARTICLE TO ADMINISTER OATHS, THEN, ON COMPLAINT OF THE OFFICER OR UNIT, A COURT OF COMPETENT JURISDICTION MAY ORDER THE PERSON TO BE SWORN OR TO GIVE EVIDENCE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 329(c)(1), § 364(b)(1), the first and second sentences of § 11(d)(4), the first sentence of § 156A(c)(2), the first sentence of § 157C(b)(2), the second sentence of § 168A, the first sentence of § 260(e), the first sentence of § 407(c) and former Art. 89, § 68(b)(2). Although these former provisions were not found in each statute revised in this article, the Business Regulation Article Review Committee felt the provision should apply throughout the article.

In subsection (a) and (b) of this section, the former specific references to "the contumacy" of a witness, failure "to appear or testify", failure "to answer any oral or written question or produce any document", refusal "to produce evidence", and failure or refusal "to testify to any matter" on which a person may be "lawfully interrogated" are deleted as included in the general reference to a person who "fails to comply with a subpoena" or "refuses to be sworn or to give evidence".