

(2) IF THE GENERAL ASSEMBLY REQUESTED THE INVESTIGATION, THE REPORT SHALL BE MADE TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES.

(3) ON REQUEST OF THE PERSON WHO WAS THE SUBJECT OF THE INVESTIGATION, THE REPORT SHALL BE MADE AVAILABLE TO THE PUBLIC AS SOON AS POSSIBLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former SG § 9-1204.

In subsection (a)(2) of this section, the reference to a report "of the findings" and allegations is added for clarity.

Defined terms: "County" § 1-101  
"Person" § 1-101

#### 14-109. PROSECUTIONS.

##### (A) IN GENERAL.

(1) THE STATE PROSECUTOR MAY PROSECUTE A CRIMINAL OFFENSE SET FORTH IN THE STATE PROSECUTOR'S REPORT OF THE FINDINGS AND RECOMMENDATIONS IF, WITHIN 45 DAYS AFTER RECEIPT OF THE REPORT, THE STATE'S ATTORNEY FAILS TO FILE CHARGES AND BEGIN PROSECUTION IN ACCORDANCE WITH THE RECOMMENDATIONS.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE STATE PROSECUTOR MAY IMMEDIATELY PROSECUTE A CRIMINAL OFFENSE THAT IS SET FORTH IN THE STATE PROSECUTOR'S REPORT AND THAT IS ALLEGED TO HAVE BEEN COMMITTED BY THE STATE'S ATTORNEY.

##### (B) APPEALS AND POSTCONVICTION PROCEEDINGS.

(1) THE STATE PROSECUTOR SHALL REPRESENT THE STATE IN EACH APPEAL AND POSTCONVICTION PROCEEDING THAT ARISES FROM A PROSECUTION THAT THE STATE PROSECUTOR CONDUCTS.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE ATTORNEY GENERAL MAY REPRESENT THE STATE OR ASSIST THE STATE PROSECUTOR: