

(2) THE STATE'S ATTORNEY SHALL ADVISE A PERSON OF THE RIGHT TO COUNSEL WHEN THE SUBPOENA IS SERVED.

(C) REPORTING FAILURE TO OBEY SUBPOENA; RIGHT TO HEARING.

(1) (I) THE STATE'S ATTORNEY IMMEDIATELY MAY REPORT THE FAILURE OF A PERSON TO OBEY A LAWFULLY SERVED SUBPOENA UNDER SUBSECTION (A) OF THIS SECTION TO THE CIRCUIT COURT OF THE COUNTY SERVED BY THE STATE'S ATTORNEY.

(II) THE STATE'S ATTORNEY SHALL PROVIDE A COPY OF THE SUBPOENA AND PROOF OF SERVICE TO THE CIRCUIT COURT.

(2) AFTER CONDUCTING A HEARING AT WHICH THE PERSON WHO ALLEGEDLY FAILED TO COMPLY WITH A SUBPOENA ISSUED UNDER SUBSECTION (A) OF THIS SECTION HAS AN OPPORTUNITY TO BE HEARD AND REPRESENTED BY COUNSEL, THE COURT MAY GRANT APPROPRIATE RELIEF.

(D) EFFECT OF SECTION.

THIS SECTION DOES NOT ALLOW THE CONTRAVENTION, DENIAL, OR ABROGATION OF A PRIVILEGE OR RIGHT RECOGNIZED BY LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, § 39A(a), (b), (c), (e), and (f).

In subsection (a)(1) of this section, the former reference to the limited purpose "of obtaining documents" is deleted as surplusage.

In subsection (c)(1) of this section, the former reference to "the disobedience" is deleted as unnecessary.

Also in subsection (c)(1) of this section, the reference to the circuit court of the county "served by the State's Attorney" is substituted for the former reference to the circuit court of the county "in which the State's Attorney serves under § 34 of this article" for brevity, clarity, and consistency within this title.

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