

SB0123/623323/1

BY: Senator Cassilly

AMENDMENTS TO SENATE BILL 123
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 9, strike “or the State Administrator’s designee”; in line 11, strike “the” and substitute “certain”; and in the same line, after “Rules” insert “and in a certain manner; authorizing a person served with a certain subpoena to file a certain motion in a certain court; requiring that a certain filing be sealed on filing”.

AMENDMENT NO. 2

On page 5, in lines 8 and 9, strike “**OR THE STATE ADMINISTRATOR’S DESIGNEE**”; strike in their entirety lines 11 and 12 and substitute:

“(II) IN ORDER TO ISSUE A SUBPOENA UNDER THIS PARAGRAPH, THE STATE ADMINISTRATOR SHALL MAKE A FINDING THAT THE SUBPOENA IS NECESSARY TO AND IN FURTHERANCE OF AN INVESTIGATION BEING CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(III) A SUBPOENA ISSUED UNDER THIS PARAGRAPH MUST:

1. COMPLY WITH THE REQUIREMENTS OF MARYLAND RULE 2-510 BUT MAY NOT SPECIFY THE CANDIDATE TO WHICH THE INVESTIGATION RELATES;

2. INCLUDE A NOTICE THAT THE WITNESS HAS THE RIGHT TO CONSULT WITH AN ATTORNEY RELATING TO THE SUBPOENA AND MAY FILE A MOTION FOR JUDICIAL RELIEF UNDER MARYLAND RULE 2-510; AND

(Over)

**3. BE SERVED IN ACCORDANCE WITH MARYLAND
RULE 2-510 AND ON THE CANDIDATE OR CAMPAIGN TO WHICH THE
INVESTIGATION RELATES.**

**(IV) A PERSON SERVED WITH A SUBPOENA UNDER THIS
PARAGRAPH MAY FILE A MOTION FOR A PROTECTIVE ORDER IN THE CIRCUIT
COURT IN WHICH THE SUBPOENA WAS SERVED.**

**(V) ANY FILING SUBMITTED TO A COURT WITH RESPECT TO
A SUBPOENA UNDER THIS PARAGRAPH SHALL BE SEALED ON FILING.”;**

and in line 13, strike “(III)” and substitute “(VI)”.