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**By: Delegates Preis, Petzold, Menes, and Kopp**

Introduced and read first time: January 30, 1997

Assigned to: Ways and Means

Reassigned: Judiciary, February 6, 1997

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 1997

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## CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Higher Education - Enforcement Powers**

3 FOR the purpose of authorizing the Maryland Higher Education Commission to  
4 administer oaths and to issue certain subpoenas; requiring the Chairperson of the  
5 Commission to sign certain subpoenas; authorizing a circuit court to compel  
6 compliance with a subpoena issued by the Commission under certain circumstances;  
7 authorizing a circuit court to quash a subpoena or amend the terms of a subpoena  
8 issued by the Commission under certain circumstances; and generally relating to the  
9 enforcement powers of the Maryland Higher Education Commission.

10 BY adding to

11 Article - Education

12 Section 11-108

13 Annotated Code of Maryland

14 (1997 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Education**

18 11-108.

19 (A) THE COMMISSION MAY ADMINISTER OATHS.

20 (B) (1) THE COMMISSION MAY ISSUE A SUBPOENA FOR THE ATTENDANCE  
21 OF A WITNESS TO TESTIFY OR FOR THE PRODUCTION OF EVIDENCE IN CONNECTION  
22 WITH A PROCEEDING BROUGHT FOR AN ALLEGED VIOLATION OF THIS TITLE.

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1                   (2) A SUBPOENA SHALL BE SIGNED BY THE CHAIRPERSON OF THE  
2 COMMISSION.

3                   (C) IF A PERSON FAILS TO COMPLY WITH A SUBPOENA ISSUED UNDER THIS  
4 SECTION, ON PETITION OF THE COMMISSION, A CIRCUIT COURT MAY COMPEL  
5 COMPLIANCE WITH THE SUBPOENA, QUASH THE SUBPOENA, OR AMEND THE TERMS  
6 OF THE SUBPOENA.

7                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 1997.