
By: **Delegates G. Clagett, Barkley, Bobo, DeBoy, Franchot, Mandel, and Stern**

Introduced and read first time: February 3, 2005

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly - Standing Committees - Authority as to Subpoenas,**
3 **Oaths, Testimony, and Depositions**

4 FOR the purpose of repealing the requirement that a standing committee of the
5 General Assembly receive prior approval from the Legislative Policy Committee
6 to carry out certain functions or powers by issuing certain subpoenas,
7 compelling the attendance of certain witnesses, compelling the production of
8 certain documents, administering certain oaths, and taking certain depositions;
9 and generally relating to the authority of standing committees of the General
10 Assembly.

11 BY repealing and reenacting, with amendments,
12 Article - State Government
13 Section 2-1104
14 Annotated Code of Maryland
15 (2004 Replacement Volume)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - State Government**

19 2-1104.

20 (a) [With the prior approval of the Legislative Policy Committee, a] A
21 standing committee, in carrying out any of its functions or powers, may:

22 (1) issue subpoenas;

23 (2) compel the attendance of witnesses;

24 (3) compel the production of any papers, books, accounts, documents,
25 and testimony;

26 (4) administer oaths; and

1 (5) cause the depositions of witnesses, who reside in or outside of the
2 State, to be taken in the manner provided by law for taking depositions in a civil case.

3 (b) If a person fails to comply with a subpoena issued under this section or
4 fails to testify on any matter on which the person lawfully may be interrogated, on
5 petition of a member of the standing committee, a circuit court may pass an order
6 directing compliance with the subpoena or compelling testimony and may enforce the
7 order by proceedings for contempt.

8 (c) False swearing by a witness before a standing committee is perjury.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2005.