

**SB0384/478276/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 384  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “testimony;” insert “requiring that papers, books, accounts, documents, testimony, and records sought in accordance with a subpoena issued in accordance with certain provisions of law in connection with a lawfully authorized legislative inquiry or examination be pertinent to the inquiry or examination; providing that the papers, books, accounts, documents, testimony, or records are considered pertinent if they meet certain criteria;”; and in line 19, strike “party’s sole remedy for objecting” and substitute “only pleading that an objecting party may file to object”.

On pages 1 and 2, strike beginning with “requiring” in line 25 on page 1 down through “exception;” in line 1 on page 2.

On page 2, in line 3, after “manner;” insert “providing for the application of this Act;”; and in line 12, after “2-1802” insert “and 2-1803”.

AMENDMENT NO. 2

On page 7, after line 7, insert:

**“(A) PAPERS, BOOKS, ACCOUNTS, DOCUMENTS, TESTIMONY, AND RECORDS SOUGHT IN ACCORDANCE WITH A SUBPOENA ISSUED UNDER § 2-408, § 2-507, § 2-807, § 2-1104, OR § 2-1608 OF THIS TITLE IN CONNECTION WITH A LAWFULLY AUTHORIZED LEGISLATIVE INQUIRY OR EXAMINATION MUST BE PERTINENT TO THE INQUIRY OR EXAMINATION.”**

(Over)

**(B) FOR PURPOSES OF SUBSECTION (A) OF THIS SECTION, PAPERS, BOOKS, ACCOUNTS, DOCUMENTS, TESTIMONY, OR RECORDS ARE CONSIDERED PERTINENT IF THEY:**

- (1) RELATE TO THE MATTERS UNDER INQUIRY OR EXAMINATION;**
- (2) ASSIST IN ASSESSING THE CREDIBILITY OF A WITNESS;**
- (3) CONTRADICT OR CORROBORATE THE TESTIMONY OF A WITNESS; OR**
- (4) DEMONSTRATE THE EXISTENCE OF UNDUE INFLUENCE ON A WITNESS.**

**2-1803.”.**

On page 4 in line 13, on page 5 in lines 5 and 23, and on page 6 in line 14, in each instance, strike “§ 2-1802” and substitute “§ **2-1803**”.

**AMENDMENT NO. 3**

On page 8, in lines 2 and 3, strike “PARTY’S SOLE REMEDY FOR OBJECTING” and substitute “**ONLY PLEADING THAT AN OBJECTING PARTY MAY FILE TO OBJECT**”.

**AMENDMENT NO. 4**

On page 8, strike in their entirety lines 15 through 23, inclusive; and in line 24, strike “(H)” and substitute “**(G)**”.

**AMENDMENT NO. 5**

On page 8, after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have an effect on or application to any cause of action arising before the effective date of this Act.”.

On page 8, in line 28, strike “2.” and substitute “3.”.