

## Session 106 - (1985-1986)

### **S\*0126 (Rat #0371, Act #0352 of 1986) General Bill, By T.E. Smith**

A Bill to provide that every standing committee of the Senate and of the House of Representatives, in the discharge of its duties, is by majority vote authorized to issue subpoenas and subpoenas duces tecum to various entities or individuals, provide that each such committee is also authorized to issue subpoenas and subpoenas duces tecum on behalf of any of its subcommittees, and provide that each such committee has the right to issue such subpoenas and receive the subpoenaed evidence in executive session; to provide that every joint study committee created by Act or Resolution of the General Assembly, in the discharge of its duties, is by majority vote authorized to request a standing committee of the Senate or House of Representatives to issue subpoenas and subpoenas duces tecum on behalf of the joint study committee to various entities or individuals, provide that the committee has the right to receive the subpoenaed evidence in executive session, provide that the committee must seek instructions from the President Pro Tempore of the Senate and the Speaker of the House of Representatives as to which standing committee shall issue the subpoena, and require the standing committee which issues a subpoena on behalf of a joint study committee to comply with certain procedures; to provide that the committee may administer oaths and affirmations, take depositions, and receive testimony and evidence as necessary in connection with its work, study, or investigation; to provide standards, conditions, and rules for the issuance and signing of subpoenas and subpoenas duces tecum; to provide that any person served with a subpoena or subpoena duces tecum may request that the committee issue a protective order, and provide that the committee may for good cause elect to receive certain testimony and evidence in executive session; to provide that in case of contumacy by any person or refusal to obey a subpoena, or to testify as directed by the committee, the court of common pleas, under certain conditions, may issue an order requiring the person to appear before the committee to produce evidence or give testimony, allow the court to take action to ensure compliance with its order, and provide that any failure to obey an order may be punished as a contempt; and to provide that a good faith reliance by the party subject to the subpoena duces tecum is a defense to any action, civil or criminal, arising from the production of records, documents, or other tangible materials in response to the subpoena.-amended title

<b>01/22/85</b>	<b>Senate</b>	<b>Introduced and read first time SJ-208</b>
<b>01/22/85</b>	<b>Senate</b>	<b>Referred to Committee on Judiciary SJ-208</b>
<b>04/18/85</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Judiciary SJ-1597</b>
<b>04/23/85</b>	<b>Senate</b>	<b>Read second time SJ-1731</b>
<b>04/23/85</b>	<b>Senate</b>	<b>Ordered to third reading with notice of amendments SJ-1731</b>
<b>04/24/85</b>	<b>Senate</b>	<b>Amended SJ-1738</b>
<b>04/24/85</b>	<b>Senate</b>	<b>Read third time and sent to House SJ-1742</b>
<b>04/24/85</b>	<b>House</b>	<b>Introduced and read first time HJ-2679</b>
<b>04/24/85</b>	<b>House</b>	<b>Referred to Committee on Judiciary HJ-2680</b>
<b>01/29/86</b>	<b>House</b>	<b>Committee report: Favorable Judiciary HJ-338</b>
<b>02/05/86</b>	<b>House</b>	<b>Objection by Rep. Rawl, Winstead, Washington &amp; Gordon HJ-511</b>
<b>02/13/86</b>	<b>House</b>	<b>Objection withdrawn by Rep. Winsted &amp; Washington HJ-720</b>
<b>02/13/86</b>	<b>House</b>	<b>Objection by Rep. Gregory HJ-720</b>
<b>02/19/86</b>	<b>House</b>	<b>Objection withdrawn by Rep. Gregory &amp; Gordon HJ-858</b>
<b>02/19/86</b>	<b>House</b>	<b>Objection by Rep. J. Bradley &amp; J. Rogers HJ-858</b>
<b>02/26/86</b>	<b>House</b>	<b>Objection withdrawn by Rep. Rawl HJ-1003</b>
<b>02/26/86</b>	<b>House</b>	<b>Objection by Rep. Klapman HJ-1003</b>
<b>03/06/86</b>	<b>House</b>	<b>Objection withdrawn by Rep. Klapman HJ-1342</b>
<b>03/10/86</b>	<b>House</b>	<b>Read second time HJ-1368</b>
<b>03/11/86</b>	<b>House</b>	<b>Debate adjourned HJ-1392</b>
<b>03/12/86</b>	<b>House</b>	<b>Read third time and enrolled HJ-1549</b>
<b>03/25/86</b>		<b>Ratified R 371</b>
<b>03/28/86</b>		<b>Signed By Governor</b>
<b>03/28/86</b>		<b>Effective date 03/28/86</b>
<b>03/28/86</b>		<b>Act No. 352</b>
<b>04/07/86</b>		<b>Copies available</b>