



General Assembly

January Session, 2003

Amendment

LCO No. 6787

SB0096906787HD0

Offered by:

REP. GREEN, 1st Dist.

To: Subst. Senate Bill No. 969

File No. 634

Cal. No. 561

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING INVESTIGATIVE SUBPOENAS."

1 Strike subsection (b) of section 7 in its entirety and substitute the
2 following in lieu thereof:

3 "(b) Prior to any witness being questioned, the judge presiding over
4 the proceeding shall, on the record, personally determine that the
5 person who has been summoned understands the following: (1) The
6 purpose of the investigation, (2) whether such person is a target or
7 possible target of the investigation, (3) that such person has the right
8 not to be compelled to give evidence against himself or herself, (4) that
9 such person has the right to have counsel present and to consult with
10 such counsel and, if such person is indigent, to have counsel appointed
11 to represent him or her, and (5) that, if such person is under eighteen
12 years of age, such person has the right to have such person's parent or
13 parents or guardian present unless the judge presiding over the
14 proceeding excludes such parent or parents or guardian for good cause

15 shown. The presiding judge shall assure that such rights are not
16 infringed. The presiding judge shall also make an inquiry and
17 personally determine that the person who has been summoned is
18 competent to testify. Upon request, a reasonable continuance shall be
19 granted to enable a person who has been summoned to consult with
20 counsel and obtain legal advice."