



General Assembly

January Session, 2003

Amendment

LCO No. 7024

SB0096907024HD0

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 (a) of section 4 in its entirety and substitute the
2 following in lieu thereof:

3 "(a) Any subpoena issued pursuant to sections 1 to 12, inclusive, of
4 this act shall (1) compel only the appearance and sworn testimony of
5 witnesses and the production of property relevant and necessary to the
6 investigation being conducted, (2) specify with reasonable particularity
7 any property to be produced, and (3) require only the production of
8 documents or records covering a reasonable period of time not to
9 exceed one year."

10 Strike subsection (b) of section 4 in its entirety and substitute the
11 following in lieu thereof:

12 "(b) Any subpoena issued pursuant to sections 1 to 12, inclusive, of
13 this act shall be on a form approved by the judges of the superior court

14 that is distinguishable from the form for a subpoena or subpoena
15 duces tecum issued in civil or criminal proceedings and shall contain a
16 notice located at the beginning of the subpoena, in at least twelve point
17 type, advising the person summoned of the following: (1) The purpose
18 of the investigation, (2) whether such person is a target or possible
19 target of the investigation, (3) that such person has the right not to be
20 compelled to give evidence against himself or herself, (4) that such
21 person has the right to have counsel present and to consult with such
22 counsel and, if such person is indigent, to have counsel appointed to
23 represent him or her, (5) that, if such person is under eighteen years of
24 age, such person has the right to have such person's parent or parents
25 or guardian present unless the judge presiding over the proceeding
26 excludes such parent or parents or guardian for good cause shown,
27 and (6) that such person has the right to file a motion to quash or
28 modify the subpoena after consultation with retained or court-
29 appointed counsel."