

THE BOARD MAY ISSUE A SUBPOENA FOR THE ATTENDANCE OF A WITNESS TO TESTIFY OR THE PRODUCTION OF EVIDENCE IN CONNECTION WITH:

(1) ANY DISCIPLINARY ACTION UNDER § 15-318 OF THIS TITLE; OR

(2) ANY PROCEEDING BROUGHT FOR AN ALLEGED VIOLATION OF THIS TITLE.

(C) INJUNCTIVE POWER.

(1) THE BOARD MAY SUE TO ENFORCE ANY PROVISION OF THIS TITLE BY INJUNCTION.

(2) IN SEEKING AN INJUNCTION UNDER THIS SUBSECTION, THE BOARD IS NOT REQUIRED TO:

(I) POST BOND; OR

(II) ALLEGE OR PROVE EITHER THAT:

1. AN ADEQUATE REMEDY AT LAW DOES NOT EXIST; OR

2. SUBSTANTIAL OR IRREPARABLE DAMAGE WOULD RESULT FROM THE CONTINUED VIOLATION OF THE PROVISION.

(3) A MEMBER OF THE BOARD MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACTION TAKEN UNDER THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 333(a), (e), and (f).

In the introductory language of subsection (b) of this section, the phrase "to testify" is added to clarify that the subpoena of the Board requires not merely attendance but also compliance with an order to testify.

Also in the introductory language of subsection (b) of this section, the word "evidence" is substituted for the former reference to "books, papers, documents, or other pertinent data", for brevity.

In subsection (c)(3) of this section, the phrases "for any action taken under this subsection" are substituted for the former phrase "under this proceeding", to preclude the seemingly unintended result of liability through separate proceedings.