

**11-49-403 Subpoena powers.**

- (1) Except for a preliminary review described in Section 11-49-602, for a proceeding authorized by this chapter, the commission may issue a subpoena to:
  - (a) require the attendance of a witness;
  - (b) direct the production of evidence; or
  - (c) require both the attendance of a witness and the production of evidence.
- (2) The commission shall issue a subpoena:
  - (a) in accordance with Section 11-49-405;
  - (b) at the direction of the commission chair, if the chair determines that the testimony or evidence is relevant to the review of a complaint under Part 7, Commission Review of Ethics Violations; or
  - (c) upon a vote of a majority of the commission members.
- (3) If the commission issues a subpoena authorized under this section, the commission shall give a reasonable period of time for the person or entity to whom the subpoena is directed to petition a district court to quash or modify the subpoena before the time specified in the subpoena for compliance.

Enacted by Chapter 202, 2012 General Session