

**Effective 5/10/2016**

**57-29-303 Investigatory powers and proceedings of division.**

- (1) The division may:
  - (a) conduct a public or private investigation to determine whether a person has violated or is about to violate a provision of this chapter; and
  - (b) require or allow a person to file a written statement with the division that relates to the facts and circumstances concerning a matter to be investigated.
- (2) For the purpose of an investigation or proceeding under this chapter, the division may:
  - (a) administer oaths or affirmations; and
  - (b) upon the division's own initiative or upon the request of any party:
    - (i) subpoena a witness;
    - (ii) compel a witness's attendance;
    - (iii) take evidence; or
    - (iv) require the production, within 10 business days, of any information or item that is relevant to the investigation, including:
      - (A) the existence, description, nature, custody, condition, and location of any books, electronic records, documents, or other tangible records;
      - (B) the identity and location of any person who has knowledge of relevant facts; or
      - (C) any other information or item that is reasonably calculated to lead to the discovery of material evidence.
- (3) If a person fails to obey a subpoena or other request made in accordance with this section, the division may file an action in district court for an order compelling compliance.

Enacted by Chapter 381, 2016 General Session