

Article 2.

Administration and Enforcement.

§ 78D-21. Investigations.

(a) The Administrator may make investigations, within or without this State, as it finds necessary or appropriate to:

- (1) Determine whether any person has violated, or is about to violate, any provision of this Chapter or any rule or order of the Administrator; or
- (2) Aid in enforcement of this Chapter.

(b) The Administrator may publish information concerning any violation of this Chapter or any rule or order of the Administrator.

(c) For purposes of any investigation or proceeding under this Chapter, the Administrator or any officer or employee designated by rule or order, may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, agreements, or other documents or records which the Administrator finds to be relevant or material to the inquiry.

- (d) (1) If a person does not give testimony or produce the documents required by the Administrator or a designated employee pursuant to an administrative subpoena, the Administrator or designated employee may apply for a court order compelling compliance with the subpoena or the giving of the required testimony.
- (2) The request for order of compliance may be addressed to either:
 - a. The Superior Court of Wake County where service may be obtained on the person refusing to testify or produce, if the person is within this State; or
 - b. The appropriate court of the State having jurisdiction over the person refusing to testify or produce, if the person is outside this State.

(e) The Administrator in his discretion may appoint commodities law enforcement agents and other enforcement personnel.

- (1) Subject Matter Jurisdiction. – The responsibility of an agent shall be enforcement of this Chapter.
- (2) Territorial Jurisdiction. – A commodities law enforcement agent is a State officer with jurisdiction throughout the State.
- (3) Service of Orders of the Administrator. – Commodities law enforcement agents may serve and execute notices, orders, or demands issued by the Administrator for the surrender of registrations or relating to any administrative proceeding. While serving and executing such notices, orders, or demands, commodities law enforcement agents shall have all the power and authority possessed by law enforcement officers when executing an arrest warrant. (1989, c. 634, s. 1.)