

**227.280 Subpoena and oath -- Production of evidence -- Conduct of examinations -- Contempt.**

- (1) The state fire marshal may subpoena witnesses; may administer oaths; may require the production of books, papers, accounts, documents, and other records or materials of an evidentiary nature; and may examine witnesses in any investigation or other fact-finding proceeding authorized under this chapter.
- (2) Examinations may be public or private. Persons other than those required to be present may be excluded from the place where the examination or investigation is held, and witnesses may be kept separate and apart from each other and not allowed to communicate with each other until they have been examined.
- (3) If any person fails to respond to a subpoena, or refuses to be sworn, or refuses to testify, or fails or refuses to produce any record or material called for, or fails or refuses to comply with a lawful order of the fire marshal or any deputy fire marshal or performs any contemptuous or contumacious act after being summoned to appear in connection with an investigation or fact-finding proceeding authorized under this chapter, the fire marshal or any deputy fire marshal, as the case may be, shall certify the facts to the Circuit Court of the county in which the offense was committed. That court shall have jurisdiction to hear, try, and punish these persons as in other cases of contempt.
- (4) The same fees shall be paid for the service of process, for the taking of depositions, and for the services of stenographers as is provided for like services in Circuit Court.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 318, sec. 139, effective July 15, 1996. -- Amended 1978 Ky. Acts ch. 305, sec. 9, effective June 17, 1978. -- Created 1954 Ky. Acts ch. 201, sec. 9.