

2018 Kansas Statutes

66-150. Witnesses, process and depositions; penalties for obstruction or refusal to give information; immunity of witnesses; taxation of costs. The commission or any member thereof is empowered to issue subpoenas and administer oaths; and any person who may willfully obstruct said commission, or any member thereof, in the performance of the commission's duties shall be deemed guilty of a class B misdemeanor.

Each witness who shall appear before the commission, or any member thereof, in answer to a subpoena, shall receive for his or her attendance the same fees and mileage as are provided by law for witnesses attending in the district courts. When the commission is liable for the payment of such fees and mileage, the same shall be paid in the manner other expenses of the commission are paid, upon the presentation of proper vouchers, sworn to by such witness and approved by the chairperson of the commission or by a person or persons designated by the chairperson.

If any witness shall fail or refuse to obey a subpoena, said commission or any member thereof may apply to any district court or judge thereof for an order and an attachment for said witness, directed to any sheriff of the state of Kansas, and which said court or judge may issue, and compel him or her to attend before the commission, or any member thereof, and give his or her testimony and answer any question upon such matters as shall be lawfully required of him or her. If a witness, after being duly summoned and ordered by any such court or judge, shall fail or refuse to attend, or to answer any question propounded to such witness, and which he or she would be required to answer if in a court, such court or judge shall have the power to fine and imprison such witness for contempt. The claim that any such testimony may tend to criminate the person giving it shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person on the trial of any criminal proceedings, nor shall such person be liable to criminal prosecution for or on account of any transaction, matter or thing concerning which he or she may so testify. In lieu of compelling the personal attendance of witnesses, the commission may issue proper process and take depositions in the manner depositions are taken in civil cases in district court.

The sheriff executing any process under the provisions of this section, or under any other provisions of this act, shall receive such compensation as may be allowed by the commission, not to exceed fees provided by law for similar service in civil cases. The commission is authorized to tax all costs of hearings to parties or the state, as in its judgment shall be just.

History: R.S. 1923, 66-150; L. 1976, ch. 286, § 1; July 1.