

**35.235 Refusal to appear or testify.**

- (1) Any person not subject to this code, who:
  - (a) Has been duly subpoenaed to appear as a witness or to produce books and records before a court-martial or court of inquiry, or before any military or civil officer designated to take a deposition to be read in evidence before such a court;
  - (b) Has been duly paid or tendered the fees and mileage of a witness at the rates allowed to witnesses attending a criminal court of the state; and
  - (c) Willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or to produce any evidence which that person may have been legally subpoenaed to produce;may be punished by the military court in the same manner as a criminal court of the state.
- (2) The fees and mileage of witnesses shall be advanced or paid out of the appropriations for the compensation of witnesses.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 32, sec. 48, effective June 25, 2013. -- Amended 1970 Ky. Acts ch. 56, sec. 33. -- Created 1954 Ky. Acts ch. 99, sec. 46, effective July 1, 1954.