

248.353 Enforcement by Attorney General. (Effective until July 15, 2026)

- (1) Compliance with the provisions of KRS 248.350 shall be monitored by the department with enforcement assistance provided by the Office of Special Prosecutions in the Office of the Attorney General.
- (2) The Attorney General at the request of the commissioner:
 - (a) May make such public or private investigations within or outside of this state as he deems necessary to determine if any person has violated or is about to violate KRS 248.350 or any administrative regulation or order thereunder, or to aid in the enforcement of KRS 248.350 or in the prescribing of administrative regulations and forms thereunder;
 - (b) May require or permit any person to file a statement in writing, under oath or otherwise as the Attorney General may determine, as to all the facts and circumstances concerning the matter to be investigated; and
 - (c) May publish information concerning any violation of KRS 248.350 or any administrative regulation or order thereunder.
- (3) For the purpose of any investigation or proceeding under KRS 248.350, the Attorney General or any officer designated by him may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require production of any books, papers, correspondence, memoranda, agreements, or other documents or records which the Attorney General deems relevant or material to the inquiry.
- (4) In case of contumacy by, or refusal to obey a subpoena issued to, any person, any court of competent jurisdiction, upon application by the Attorney General, may issue to that person an order requiring him to appear before the Attorney General, or the officer designated by him, there to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question; and any failure to obey the order of the court may be punished by the court as a contempt of court.
- (5) No person is excused from attending and testifying or from producing any document or record before the Attorney General, or in obedience to the subpoena of the Attorney General or any officer designated by him, or in any proceeding instituted by the Attorney General, on the ground that the testimony or evidence (documentary or otherwise) required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after claiming his privilege against self-incrimination, to testify or produce evidence (documentary or otherwise), except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Effective: April 5, 2024

History: Amended 2024 Ky. Acts ch. 112, sec. 12, effective April 5, 2024. -- Amended 1998 Ky. Acts ch. 183, sec. 4, effective July 15, 1998. -- Created 1978 Ky. Acts ch. 270, sec. 5, effective June 17, 1978.