

1 AN ACT relating to agriculture.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 248.353 is amended to read as follows:

- 4 (1) Compliance with the provisions of KRS 248.350 shall be monitored by the
5 department with enforcement assistance provided by the Special Prosecutions Unit
6 of the Office of the Attorney General.
- 7 (2) The Attorney General at the request of the commissioner:
- 8 (a) May make such public or private investigations within or outside of this state
9 as he or she deems necessary to determine if any person has violated or is
10 about to violate KRS 248.350 or any administrative regulation or order
11 thereunder, or to aid in the enforcement of KRS 248.350 or in the prescribing
12 of administrative regulations and forms thereunder;
- 13 (b) May require or permit any person to file a statement in writing, under oath or
14 otherwise as the Attorney General may determine, as to all the facts and
15 circumstances concerning the matter to be investigated; and
- 16 (c) May publish information concerning any violation of KRS 248.350 or any
17 administrative regulation or order thereunder.
- 18 (3) For the purpose of any investigation or proceeding under KRS 248.350, the
19 Attorney General or any officer designated by him or her may administer oaths and
20 affirmations, subpoena witnesses, compel their attendance, take evidence, and
21 require production of any books, papers, correspondence, memoranda, agreements,
22 or other documents or records which the Attorney General deems relevant or
23 material to the inquiry.
- 24 (4) In case of contumacy by, or refusal to obey a subpoena issued to, any person, any
25 court of competent jurisdiction, upon application by the Attorney General, may
26 issue to that person an order requiring him or her to appear before the Attorney
27 General, or the officer designated by him or her, there to produce documentary

1 evidence if so ordered or to give evidence touching the matter under investigation or
2 in question; and any failure to obey the order of the court may be punished by the
3 court as a contempt of court.

4 (5) No person is excused from attending and testifying or from producing any
5 document or record before the Attorney General, or in obedience to the subpoena of the
6 Attorney General or any officer designated by him or her, or in any proceeding instituted
7 by the Attorney General, on the ground that the testimony or evidence (documentary or
8 otherwise) required of him or her may tend to incriminate him or her or subject him or
9 her to a penalty or forfeiture; but no individual may be prosecuted or subjected to any
10 penalty or forfeiture for or on account of any transaction, matter, or thing concerning
11 which he or her is compelled, after claiming his or her privilege against self-
12 incrimination, to testify or produce evidence (documentary or otherwise), except that the
13 individual so testifying shall not be exempt from prosecution and punishment for perjury
14 committed in so testifying.