

Kansas Administrative Regulations

Kansas Public Disclosure Commission

Article 7.—Proceedings

19-7-5. Subpoenas.

(a) Issuance. Subpoenas for the attendance of witnesses or for the production of evidence, unless directed by the commission upon its own motion, will issue only upon application in writing to the commission or the presiding member, except that during a hearing, such application may be made orally on the record. Such applications shall specify as nearly as may be the general scope of the testimony or evidence sought, including as to evidence, specification as nearly as may be, of the documents desired. The presiding member shall sign subpoenas issued pursuant to this section or when convenient or necessary may direct the executive director to sign subpoenas on the presiding member's behalf.

(b) Service and return. If service of subpoena is made by a sheriff or like officer or his deputy, such service shall be evidenced by his return thereof. If made by another person, such person shall make affidavit thereof, describing the manner in which service was made, and shall return such affidavit. In case of failure to make service, the reasons for the failure shall be stated on the original subpoena. In making service, a copy of the subpoena shall be exhibited to and left with the person to be served, or to a person of suitable age and discretion residing in that person's dwelling, house, or usual place of abode, or to an agent authorized by appointment or by law to receive service of process for the person to be served. The original subpoena, bearing or accompanied by the authorized return, affidavit or statement, shall be returned forthwith to the office of the commission or, if so directed on the subpoena, to the presiding member before whom the person named in the subpoena is required to appear.

(Authorized by K.S.A. 1976 Supp. 25-4119a, 46-253; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977.)