

**35.380 Authority to administer oaths.**

- (1) The following officers of the National Guard and active militia shall have power to administer oaths for the purposes of military administration, including military justice, and affidavits may be taken for such purposes before such officers:
  - (a) All judge advocates of the National Guard and active militia;
  - (b) All summary courts-martial;
  - (c) All adjutants, assistant adjutants, acting adjutants, and personnel adjutants;
  - (d) All staff judge advocates and acting or assistant staff judge advocates;
  - (e) All other persons designated by regulations issued pursuant to this chapter.
- (2) The following officers of the National Guard or active militia shall have power to administer oaths necessary in the performance of their duties, and affidavits may be taken for such purposes before such officers:
  - (a) The president, military judge, trial counsel, and assistant trial counsel for all general and special courts-martial;
  - (b) The president and the counsel for the court of any court of inquiry;
  - (c) All officers designated to take a deposition;
  - (d) All persons detailed to conduct an investigation;
  - (e) All other persons designated by regulations issued pursuant to this chapter.
- (3) The signature without seal of any person enumerated in subsections (1) and (2) of this section, together with the title of his office, shall be prima facie evidence of his authority.

**History:** Amended 1970 Ky. Acts ch. 56, sec. 53. -- Created 1954 Ky. Acts ch. 99, sec. 75, effective July 1, 1954.