

### **39E.990 Penalties.**

- (1) Any person violating any provision of this chapter or any administrative regulation promulgated or order issued pursuant to this chapter for which another penalty is not specified shall be guilty of a Class A misdemeanor.
- (2)
  - (a) When a person violates KRS 39E.120, 39E.130, 39E.190, or 39E.220, the commission chairman shall proceed against that person under paragraph (b) of this subsection or subsection (3) of this section but not both.
  - (b) Any person violating KRS 39E.120, 39E.130, or 39E.220 shall, upon the first conviction thereof, be fined not less than two hundred and fifty dollars (\$250) nor more than five hundred dollars (\$500). If any offense is continued for more than one (1) day, each day upon which the offense occurs or is continued shall be considered and constitute a separate offense and a separate fine may be imposed. Any person violating KRS 39E.120, 39E.130, or 39E.220 shall, upon subsequent convictions, be fined not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000). If any offense is continued for more than one (1) day, each day upon which such offense occurs or is continued shall be considered and constitute a separate offense and a separate fine may be imposed. Any person violating KRS 39E.190 shall, upon the first conviction, be fined not less than one thousand dollars (\$1,000) nor more than twenty-five hundred dollars (\$2,500). If any offense is continued for more than one (1) day, each day upon which the offense occurs or is continued shall be considered and constitute a separate offense and a separate fine may be imposed. Any person violating KRS 39E.190 shall, upon subsequent conviction, be fined not less than twenty-five hundred dollars (\$2,500) nor more than five thousand dollars (\$5,000). If any offense is continued for more than one (1) day, each day upon which the offense occurs or is continued shall be considered and constitute a separate offense and a separate fine may be imposed.
- (3) Any person violating any provision of this chapter shall be assessed a civil penalty of not less than two hundred and fifty dollars (\$250) nor more than five hundred dollars (\$500). If any violation is continued for more than one (1) day, each day upon which the violation occurs or is continued shall be considered and constitute a separate violation and a separate civil penalty may be imposed therefor.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 226, sec. 82, effective July 15, 1998.