

45A.990 Penalties.

- (1) Any violation of KRS 45A.045 shall be deemed a Class D felony.
- (2) Any person who violates any of the provisions of KRS 45A.325 shall be guilty of a Class D felony. Any firm, corporation, or association which violates any of the provisions of KRS 45A.325 shall, upon conviction, be fined not less than ten thousand dollars (\$10,000) nor more than twenty thousand dollars (\$20,000).
- (3) Any person who violates any provisions of KRS 45A.330 to 45A.340 shall be guilty of a Class B misdemeanor, and in addition he shall be adjudged to have forfeited any statutory office or employment which he may hold.
- (4) Any willful violation of KRS 45A.690 to 45A.725 shall be a Class A misdemeanor.
- (5) Any person who willfully violates this code shall be guilty of a Class A misdemeanor.
- (6) Any employee or any official of the Commonwealth of Kentucky, elective or appointive, who shall take, receive, or offer to take or receive, either directly or indirectly, any rebate, percentage of contract, money, or other things of value, as an inducement or intended inducement, in the procurement of business, or the giving of business, for, or to, or from, any person, partnership, firm, or corporation, offering, bidding for, or in open market seeking to make sales to the Commonwealth of Kentucky, shall be deemed guilty of a Class C felony.
- (7) Every person, firm, or corporation offering to make, or pay, or give, any rebate, percentage of contract, money or any other thing of value, as an inducement or intended inducement, in the procurement of business, or the giving of business, to any employee or to any official of the Commonwealth, elective or appointive, in his efforts to bid for, or offer for sale, or to seek in the open market, shall be deemed guilty of a Class C felony.
- (8) Criminal penalties for violations of the laws which are in existence on January 1, 1980, shall not be impaired.
- (9) This section shall not apply to any officer or employee of a political subdivision, including a school district, nor to the procurement activities of any such political subdivision unless such political subdivision has elected to operate under KRS 45A.345 through 45A.460.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 463, sec. 7, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 496, sec. 22, effective July 13, 1990. -- Amended 1980 Ky. Acts ch. 40, sec. 3, effective March 12, 1980; and ch. 250, sec. 17, effective April 9, 1980. -- Created 1978 Ky. Acts ch. 110, secs. 69 and 94.