

138.705 Audit of licensee's records -- Erroneous credits -- Refunds.

- (1) The cabinet may audit the books and records of each licensee who has at any time since the last audit was made applied for a credit or refund thereunder and make such other investigations as it deems necessary to determine whether the credits or refunds applied for constitute proper claims.
- (2) If gasoline or special fuels taxes are erroneously credited or refunded, the cabinet shall advise the licensee of the erroneous credit or refund. If the licensee fails to reimburse the Commonwealth within fifteen (15) days after the receipt of notice, an action may be instituted by the cabinet in the Franklin Circuit Court and the cabinet shall recover from the licensee the amount of the erroneous credit or refund plus a penalty of twenty percent (20%).

History: Amended 1960 Ky. Acts ch. 186, Art. IV, sec. 7. -- Amended 1958 Ky. Acts ch. 70, sec. 20. -- Amended 1956 (2d Extra. Sess.) Ky. Acts ch. 9, sec. 24. -- Created 1954 Ky. Acts ch. 97, sec. 12.