

146.350 Enforcement.

It shall be the duty of the cabinet's Office of Legal Services, or upon the secretary's request, of the Attorney General, to bring an action for the recovery of the penalties provided for in KRS 146.990 and to bring an action for a restraining order, temporary or permanent injunction, for the prevention or correction of a condition constituting or threatening to constitute a violation of KRS 146.200 to 146.360. All actions for injunctive relief for violation of KRS 146.200 to 146.360 shall be brought in the name of the Commonwealth of Kentucky by the cabinet's Office of Legal Services, or upon the secretary's request, by the Attorney General in the Franklin Circuit Court. If the action seeks recovery of penalties in addition to injunctive relief, it shall be brought to one (1) of the counties through which the designated portion of the river runs.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 399, sec. 4, effective July 13, 1990. -- Amended 1976 Ky. Acts ch. 289, sec. 4. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(9). -- Created 1972 Ky. Acts ch. 117, sec. 16.

Legislative Research Commission Note (10/6/97). 1996 Ky. Acts ch. 360 confirmed a reorganization by which the Department of Law in the Natural Resources and Environmental Protection Cabinet was changed to that cabinet's Office of Legal Services. For this reason, under KRS 7.136(2), a reference to "Department of Law" in this statute has been changed to read "Office of Legal Services."