

**149.430 Liability of violator for state and private damages -- Disposition of damages.**

- (1) If any forest fire shall originate as a result of the violation by any person of any provision of KRS 149.360 to 149.430, such person shall be, in addition to the penalty prescribed under KRS 149.991, liable to the state and to each county for the full amount of all expenses incurred by the state and county respectively in suppressing each fire, such amounts to be recoverable by action brought by the secretary for energy and environment in the name of the Commonwealth on behalf of the Commonwealth and by the county attorney on behalf of the county.
- (2) In addition to any penalty pursuant to KRS 149.991, any person violating any of the provisions of KRS 149.360 to 149.430 shall be answerable in damages to any persons suffering such damage for the cost incurred in the suppression of any fire resulting from such violation and for damage to property resulting from such fires.
- (3) Damages assessed under this section shall be ordered to be paid directly to the Energy and Environment Cabinet or to any other injured person or organization specified by written order of the court. The court shall not direct that the damages be paid through the circuit clerk.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 163, effective July 15, 2010. -- Amended 2002 Ky. Acts ch. 183, sec. 12, effective August 1, 2002. -- Amended 1982 Ky. Acts ch. 142, sec. 9, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(3). -- Created 1964 Ky. Acts ch. 158, sec. 17.