

211.869 Penalties.

- (1) Any person who fails to comply with any provision of KRS 211.859 or 211.863, or with any administrative regulations promulgated pursuant to KRS 211.859 or 211.865, or fails to comply with any order of the cabinet issued pursuant to KRS 211.859 or KRS 211.863 and 211.865 shall be assessed a civil penalty not less than ten thousand dollars (\$10,000) nor more than one hundred thousand dollars (\$100,000). Each day of the violation or noncompliance shall constitute a separate offense.
- (2) Any person who fails to pay a civil penalty imposed pursuant to subsection (1) of this section, or any portion of that penalty, shall be liable in a civil action in an amount not to exceed four (4) times the amount imposed and not paid. Any civil penalties recovered shall be deposited into the State Treasury and credited to a trust and agency fund to be used by the cabinet in carrying out the provisions of KRS 211.861 to 211.869.
- (3) Any person who intentionally violates a provision of KRS 211.863 shall be guilty of a Class D felony.
- (4) At the request of the cabinet, the Attorney General shall, on behalf of the Commonwealth of Kentucky, bring an action for the recovery of any civil penalty or the prosecution of any criminal offense in violation of KRS 211.863 and 211.865.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 46, sec. 5, effective July 15, 1998.